



# Community Radio Broadcasting

## Codes of Practice

23 October 2008

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# Introduction

## A Background

Community broadcasting plays a vital role in Australia as a unique sector operating together with commercial broadcasters and national broadcasters such as the Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS). The sector actively promotes community access and participation and volunteers are largely responsible for the operations of community broadcasting stations. The stations vary significantly depending on the audience and community interest they serve. These stations include those focusing on particular geographic areas, Indigenous, ethnic, Radio for the Print Handicapped, religious, gay and lesbian, and youth, as a few examples.

The *Broadcasting Services Act 1992* (the Act) outlines the legal framework for community broadcasting and explains the role the sector plays in delivering diverse media services that reflect a sense of Australian identity, character and cultural diversity. The Community Radio Codes of Practice (the Codes) set out the guiding principles and policies for programming on community broadcasting stations. They also outline the operational standards for stations that hold a community broadcasting licence. The Codes do not replace the licence conditions in the Act; they are complementary and we are legally obliged to follow both the licence conditions and the Codes.

Under Section 123 of *the Act*, industry groups must develop the Codes in consultation with the Australian Communications and Media Authority. The Codes may cover programming requirements, fairness and accuracy in news and current affairs reporting, complaints handling and sponsorship, among other matters. The Codes outline that the sector organisation representing the majority of licensees will be responsible for coordinating a review of the Codes. As such, during 2008 the Community Broadcasting Association of Australia (CBAA) coordinated the review process.

**NOTE:** Appendices attached to the Codes are for guidance only and do not form part of the Codes.

## B Guiding principles

**Community broadcasters are united by six guiding principles. We will work to:**

- Promote harmony and diversity and contribute to an inclusive, cohesive and culturally-diverse Australian community

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- Pursue the principles of democracy, access and equity, especially for people and issues not adequately represented in other media

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- Enhance the diversity of programming choices available to the public and present programs that expand the variety of viewpoints broadcast in Australia

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- Demonstrate independence in programming as well as in editorial and management decisions

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- Support and develop local arts and music

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- Increase community involvement in broadcasting.

Throughout the Codes, community broadcasting licensees are referred to as 'we' or 'our'. The terms are legally binding.

## C Legal obligations

Each community broadcasting station has legal obligations that relate to programming and station operations. *The Broadcasting Services Act 1992 (the Act)* outlines a number of licence conditions and some program standards that apply to all stations.

### Key provisions in *the Act* require community broadcasters to:

- provide community broadcasting services for the benefit of the community and not operate them to make a profit,
- continue to represent the community interest that it represented when the licence was allocated or last renewed, although a licensee can apply to change that community interest at renewal,
- encourage community access and participation in all aspects of station operations, from programming to management, and
- only broadcast sponsorship announcements, rather than advertising, which total no more than five minutes in any hour of broadcasting.

## D Australian Communications and Media Authority (ACMA)

The broadcasting regulator, the Australian Communications and Media Authority (ACMA), is responsible for ensuring that community broadcasting stations meet the licence conditions in *the Act* and requirements outlined in the Codes.

### Some other key responsibilities of ACMA are to:

- Promote a system whereby broadcasters take responsibility for making sure they meet the licence conditions and the requirements in the Codes,
- Make sure that electronic media maintain community standards,
- Manage spectrum allocation and make sure that a range of media services is provided in all areas, and
- Administer the licence allocations and renewals process, including for temporary community broadcasting licences.

ACMA investigates complaints made on issues relating to licence conditions or the Codes. The complaints procedure is detailed in Code 7. The order in which complaints are dealt with is outlined in the following table:

**Type of complaint:****Steps in handling complaint****A station's choice of programming**

Station's responsibility according to its policies and procedures under Code 2 or 3.

**Disputes among station volunteers and members**

Station's responsibility according to its policies and procedures under Code 1. Sector organisations may be able to provide some assistance.

**Internal conflict resolution**

Station's responsibility according to its policies and procedures under Code 1. Sector organisations may be able to provide some assistance.

**Internal management or constitution matters**

Consult the State or Territory Office of Fair Trading or Consumer Affairs Department. Sector organisations may be able to provide some assistance.

**Defamation claims against station**

Seek own legal advice.

For further information on community broadcasting, see ACMA's website: [www.acma.gov.au](http://www.acma.gov.au).

**E Sector organisations**

Community broadcasting organisations exist to provide support and advice to their members. They include national, state and regionally-based organisations and those focused on special interests or communities. These organisations also work to influence the regulatory environment through lobbying, advocacy and briefing government.

None of these sector organisations regulates community broadcasting. They have no legal role to play in monitoring complaints, solving disputes or ensuring that community broadcasters meet their legal obligations. However, collectively they contribute information and ideas to the Codes of Practice review, in consultation with ACMA, and may assist stations to meet their legal obligations.

A list of current membership-based community broadcasting sector organisations can be found at [www.cbonline.org.au](http://www.cbonline.org.au).

**Code: 1****Purpose:****Our responsibilities in broadcasting to meet our community interest**

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.
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- 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.
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**References:**

■ **Appendix 1:** Codes of Practice checklist.

■ **Appendix 2:** Codes of Practice announcement example.

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**Code: 2****Purpose:****Principles of diversity and independence**

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.

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

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**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.

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**2.4** All policy documents will be freely available.

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**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.

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**References:**

■ **Appendix 3:** Rights and responsibilities of volunteers example.

■ **Appendix 4:** Procedures for disciplinary action and dismissal of volunteers example.

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**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.

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**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.

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**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.

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**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.
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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.
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**References:** ■ **Appendix 5:** Reporting suicide and mental illness responsibly – resources available.

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**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.

**References:** For more information on Indigenous cultural protocols for media workers see <http://www.abc.net.au/indigenous>

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**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.

**References:** | **Appendix 6:** Music policy example.

## 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.

### References:

■ **Appendix 7:** Sponsorship policy example

See also ACMA's Community Broadcasting Sponsorship Guidelines 2008 at [www.acma.gov.au](http://www.acma.gov.au)

<b>Code 7:</b>	<b>Purpose:</b>
<b>Complaints</b>	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.

**7.5** The record of complaints and responses will be made available to ACMA on request.

**References:** **Appendix 8:** Complaints policy example

See also ACMA's *Complaints about programs: How to make a complaint about radio and television programs* brochure at [www.acma.gov.au](http://www.acma.gov.au)

**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

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- 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 incorporate public feedback before the Codes are provided to ACMA for registration under the Act.
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# Appendices

## APPENDIX 1: Codes Of Practice Checklist

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

### Background

As community broadcasters it is our responsibility to abide by a number of legislative requirements in programming content and station operations.

The Broadcasting Services Act 1992 outlines a number of licence conditions and program standards that are applicable to all our stations. A licensee is also bound by the conditions upon which their licence was issued or last renewed.

In addition, we are required to observe the Community Radio Codes of Practice 2008 (the Codes) that guide all areas of station activity. As such we will have in place written corporate governance policies and procedures that support management, financial and technical

operations to meet all legal requirements.

The Australian Communication and Media Authority's role is to determine whether stations have implemented the processes outlined in the Codes, and are therefore upholding the standards applicable to all community broadcasters. It is the role of ACMA to assess whether stations comply with the Codes and to determine if a breach of the Codes has occurred.

In cases where compliance is an issue, ACMA may also take enforcement action to improve licensee's performance.

### Purpose

The following checklist will help determine if your station has developed the appropriate policies and procedures to make sure it is complying with the requirements of the Codes.

## Section One: Corporate Governance

### Corporate governance policies and procedures that support management, financial, and technical operations to meet all legal requirements.

<b>Governance: Does your station...</b>	<b>Yes</b>	<b>No</b>
have easily-accessible hard and electronic copies of its constitution?		
hold regular board and committee meetings?		
keep minutes of these meetings and hold them in an accessible place?		
hold Annual General Meetings which include election of board and committee members in accordance with your constitution and requirements of relevant legislation (eg: Incorporated Associations Act)?		
have documents that outline the roles and responsibilities of board and committee members?		
<b>Financial Management: Does your station...</b>	<b>Yes</b>	<b>No</b>
maintain accurate and up to date financial records?		
have a designated treasurer or book keeper?		
regularly present records of its accounts to the board?		
present end of financial year reports to the members?		

<b>Technical Management: Does your station...</b>	<b>Yes</b>	<b>No</b>
have easily-accessible hard and electronic copies of its broadcasting services licence and apparatus licence specifications?		
have mechanisms in place for ensuring ongoing compliance with its licence specifications?		
have mechanisms in place for ensuring ongoing compliance with EMR / RF hazard standards?		
ensure appropriate safety and quality of studio and production facilities?		

## **Section Two:** Policies and Procedures

<b>Does your station have clear procedures for boards, committees, staff and volunteers dealing with the following:</b>	<b>Yes</b>	<b>No</b>
Programming		
Access and equity		
Anti-discrimination		
Grievance and complaints		
Music - Australian content		
Sponsorship		

<b>How does your station management publicise/promote these policies and procedures?</b>	<b>Yes</b>	<b>No</b>
Newsletters		
Noticeboards		
Station Handbooks		
Induction or training sessions		
Other		



### Section Three: Participation

**Under the Codes community radio stations are required to ensure that people in their community who are not adequately served by other media are encouraged and assisted to participate in providing our service.**

Stations are required to have in place policies and procedures to support this commitment as well as to document evidence of their efforts to encourage community participation.

How does your station encourage and assist the active participation of community members (including broadcasters at your station and members of the community) in:

Activity	Action taken to encourage participation	Evidence documented of this activity
On-air shifts		
Fundraising		
Administration		
Board Of Directors		
Committees		
Programming Decisions		
Other		
Other		
Other		

## Section Four: Programming

Does your station...	Yes	No
monitor its Australian music content to ensure it meets the minimum quota?		
management approve and monitor all sponsorship on air (this includes in-kind sponsorship)?		

Does your station have a set of programming guidelines for broadcasters relating to on-air standards concerning broadcasts about or including?	Yes	No
Violence and brutality		
Simulated news or events		
Drug, alcohol and tobacco use		
Stereotyping and vilification		
Protecting children from 'harmful' content		
Privacy		
News and Current Affairs		
Indigenous programming		
Australian music content		
Sponsorship		
Balancing censorship and freedom of expression		

## Section Five: Volunteers

Does your station have written policy documents in place that outline...	Yes	No
the principles of financial membership,		
the rights and responsibilities of financial members within the organisation,		
the rights and responsibilities of the organisation to financial members.		

How does your station inform volunteers of their rights and responsibilities?	Yes	No
Noticeboard		
Newsletters		
Meetings		
Volunteer Induction Kit		
Website		
Email		
Other:		

Does your station...	Yes	No
have induction procedures for all new volunteers?		
have a complaints procedure for volunteers/staff concerning internal disputes?		
inform volunteers about the station's internal complaints procedure?		
have a policy and procedure in place regarding disciplinary action and dismissal of volunteers?		

## Section Six: Listener Complaints

Does your station...	Yes	No
have a procedure for recording and dealing with listener complaints?		

Does this procedure...	Yes	No
ensure there is a designated, responsible person who has been nominated to deal with listener complaints and who is available during office hours?		
include providing information to listeners about their rights if they are dissatisfied with your station's response to their complaint?		
ensure your station will respond substantively to complaints, in writing, within 60 days of receiving the complaint?		

How does your station inform volunteers and staff of the procedure for taking a complaint from a listener?	Yes	No
Newsletters		
Noticeboard		
Meetings		
Volunteer Induction Kit		
Other:		

Does your station...	Yes	No
broadcast at least one on-air announcement each week that contains information about the Codes and where listeners can get a copy		

### What to do if you find your station is not meeting the requirements of the Codes:

1. If your station does not have a policy or procedure which has been mentioned in the checklist, please look through the further appendices with the Codes for examples. We suggest you change these to suit your needs before adoption by the Board.
2. You can also visit the CBAA website ([www.cbba.org.au](http://www.cbba.org.au)) where you will find information on developing policies and procedures.
3. After the Board of Directors has collected all the policies and procedures and approved them, it is advisable that they should be widely circulated within the station.
4. It is also important to develop ways in which these policies will continue to be publicised efficiently to new broadcasters and others. This could be done at program evaluation time, station meetings, in training sessions, as reminders in newsletters and any other way you can think of getting the message across.

## APPENDIX 2:

## Codes of Practice Announcement Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

### Background

Under Code 1.7 community radio stations are required to broadcast 'one on-air announcement each week that contains information about the Codes and where listeners can get a copy'.

The following script is an example of a community service announcement that could be recorded and played in order to meet the requirements of Code 1.7.

This example points the audience to the website of the Community Broadcasting Association of Australia in order to download a copy. While this would satisfy the requirements of the Codes, stations are encouraged to make copies available on your own websites or through a direct request to the station. As such, stations may edit the script accordingly.

**Title:** Codes of Practice CSA

**Duration:** 30 secs

**Cast:**

**Music:**

What you hear on community radio is governed by the Community Radio Codes of Practice.

The Codes of Practice cover matters relating to program content, including local content, news, current affairs, Australian music content, programs for children and the responsibilities associated with broadcasting to the community.

They also cover aspects such as community access and participation in the operation of this service.

Copies of the Codes are available from the Community Broadcasting Association website, [www.cbaa.org.au](http://www.cbaa.org.au)

## APPENDIX 3:

## Rights and Responsibilities of Volunteers Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

This is an example of a policy that could be used to meet the requirements of Code 2.3.

### Background

[station name] is a community radio station, which relies largely on the efforts of our volunteers to maintain operations. Our volunteers come from a wide range of backgrounds and volunteer for different reasons

#### These include:

- to contribute something to the community,
- to develop professional skills,
- to maintain existing skills,
- to enjoy the social nature of the organisation,
- to facilitate personal growth.

We aim to treat all of our volunteers equally, with respect and trust, and to provide a workplace that is safe, enjoyable and fulfilling. We will endeavour to provide a working environment that is flexible in order to allow our volunteers to gain the benefits they wish from volunteering.

Conversely, we expect our volunteers to act professionally and in good faith towards our station at all times. We expect that they hold the interests of our station and its community in equal regard to their own to ensure positive outcomes for themselves, our station and the community we serve.

### Purpose

This document sets out [Station Name's] policy on the responsible management of our volunteer program.

The policy's purpose is to provide a clear statement about the roles and responsibilities of volunteers and our station.

### Principles of volunteering

#### Volunteering:

- benefits the community and the volunteer,
- is always a matter of choice,
- is an activity that is unpaid and not undertaken for the receipt of salary, pension, government allowance or honorarium,
- is a legitimate way in which citizens can participate in the activities of their community,
- is a vehicle for individuals or groups to address human, environmental and social needs,
- does not replace paid workers nor constitute a threat to the job security of paid workers,
- respects the rights, dignity and culture of others,
- promotes human rights and equality.

### The rights and responsibilities of volunteers

#### The rights of volunteers at [station name]. You have the right to:

- be treated as a co-worker,
- suitable assignment with consideration for personal preference, temperament, abilities, education, training and employment,
- know as much about the organisation as possible, its policies, people and programs
- expect clear and open communication from management and staff at all times,
- be given appropriate orientation, introduction and provision of information about new developments,
- sound guidance and direction in the workplace,

- 
- advance notice (where possible) of changes which may affect your work (such as programming changes),
- 
- undertake your volunteer activity without interruption or interference from management, staff or other volunteers,
- 
- a place of work complying with statutory requirements in regard to equal employment, anti-discrimination legislation, the Commonwealth Racial Discrimination Act 1975 and occupational health and safety standards,
- 
- be heard, to feel free to make suggestions and to be given respect for your honest and constructive opinion,
- 
- appropriate insurance cover such as volunteer and public liability insurance,
- 
- appropriate grievance procedures in the event of a dispute and, if necessary, mediation or arbitration to assist with resolving the dispute,
- 
- receive written notification and reasons for suspension/release of services,
- 
- have services appropriately assessed and effectively recognised,
- 
- have training provided that will enable participation at the station at a variety of levels.
- 

## The responsibilities of volunteers at [station name]

### You have the responsibility to:

- 
- have a professional attitude towards your voluntary work,
- 
- be prompt, reliable and productive with regard to commitments and agreements made with [station name],
- 
- notify the appropriate person if unable to meet commitments,
- 

- 
- accept and abide by station rules,
- 
- understand and adhere to the Codes and maintain familiarity with broadcast laws such as defamation law and the Broadcast Services Act 1992
- 
- not to represent [station name] publicly or commercially unless prior arrangement has been made,
- 
- not to bring into disrepute the operations, management, staff or other volunteers of [station name],
- 
- treat technical equipment with due care and respect and to notify technical staff of faults and problems,
- 
- undertake to complete a minimum of the basic level of training offered at the station if you are intending to work in any area of programming,
- 
- only use station resources and equipment in carrying out work for [station name] and not for personal or private purposes,
- 
- ensure that the station has your current contact details,
- 
- respect the racial and religious backgrounds and the sexual preferences of your co-volunteer workers and work to ensure that [station name] is a safe work place for everyone,
- 
- contribute to the achievement of a safe, tolerant and equitable working environment by avoiding, and assisting in preventing, behaviour which is discriminatory.
-

## The rights and responsibilities of [station name] towards volunteers

### [station name] has the right to:

- expect your cooperation in working to uphold and maintain the station's mission statement, the station charter and program policies,
- expect you to be familiar with the laws relating to broadcasting, station policies and procedures,
- expect you to be prompt, reliable and productive with regard to commitments and agreements made with [station name],
- have confidential information respected,
- make a decision, in consultation with you, as to where your services and skills would best be utilised,
- make decisions which may affect your work,
- make programming decisions in accordance with programming policies and procedures,
- develop, implement and enforce rules, policies and procedures for all aspects of station operation,
- develop and maintain all property and residence of the station,
- provide you with feedback to enhance your programming and broadcasting development,
- expect clear and open communication from you at all times,
- suspend or dismiss you in accordance with station policies and procedures due to contravention of station rules.

### [station name] has the responsibility to:

- provide you with a work environment which embraces the principles of access and equity.
- value the importance of your role within the organisation,

- place you in an appropriate, suitable position and environment,
- give you appropriate tasks in accordance with your strengths, abilities, training and experience,
- provide you with training so that you can expand your expertise and abilities,
- acknowledge your contribution to the station and provide you with the appropriate recognition and/or rewards,
- ensure staff have the appropriate skills required to work with you,
- provide adequate opportunities for formal and informal constructive feedback,
- provide you with information regarding any activities or changes at the station which may affect your work,
- consult with you (where possible and practicable) on issues that may affect your work,
- ensure that all station democratic processes are adhered to and that you are consulted in major decision-making processes,
- ensure that you are aware of station democratic processes and are encouraged to participate in them.



## APPENDIX 4:

## Procedures for Disciplinary Action and Dismissal of Volunteers Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

This is an example of a policy that could be used to meet the requirement of Code 2.3(d).

### Background

Volunteers are an invaluable resource to [station name] and our primary aim is to encourage and support their contribution to our station. However, it is also recognised that there may be times when a volunteer needs to be counselled, disciplined and perhaps dismissed.

We undertake to handle such situations in a professional manner, ensuring communication between our station and the volunteer is clear, fair, objective and remains within the policy outlined below.

Throughout the process our board will reflect on its own operations as well as those of the station and will consider the circumstances, actions and behavior leading to the situation.

### The following questions will guide this process:

- Have the roles, values and expectations of the organisation been clearly communicated to the volunteer and subsequently reinforced during prior conversations regarding the volunteer's performance?

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- Are there any other factors that may be contributing to the volunteer's poor performance e.g. learning difficulties or language barriers?

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- Has the volunteer been reminded of expected codes of conduct and consequences for breaches?

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- Has the volunteer received training/mentoring and or coaching to improve performance?

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- Has a verbal and written warning been given to the volunteer explaining that any further non-compliance will result in suspension or termination of the volunteering opportunity?

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- Did the volunteer have the opportunity to respond to prior verbal and written warnings?

### Purpose

This document outlines a policy and procedure for disciplinary measures and dismissal. It aims to provide a clear and fair structure that is understandable to both management and volunteers.

The policy includes an appeals mechanism to ensure a 'right of reply' to a volunteer who has been disciplined. This is further complemented by [station name's] grievance and dispute resolution policy and procedure, which may be used in a situation where a volunteer believes they have not been fairly heard or that the *Procedures for Disciplinary Action and Dismissal of Volunteers* has not been adequately followed.

This document does not include the procedure for expulsion of a member from the association, which is laid out in the constitution of [formal Incorporated name].

## Policy

1. **The procedure for disciplinary action is a three-step process which includes:**
  - a. First formal notice in writing
  - b. Second formal notice in writing
  - c. Notice to the volunteer of dismissal from duties.

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2. For issues that are considered minor a conversation with the volunteer may be appropriate; however this will not be considered part of the formal disciplinary action (although it may be referred to in later action).
3. Written notice will include details of the issue and, where feasible, evidence. In a case where the disciplinary measure has been instigated by a complaint, it may be appropriate to include a copy (with identification removed) or extract of this complaint.

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4. Further disciplinary actions, such as a suspension of volunteer duties for a period of time, may also be appropriate. In such cases these actions will be included with the formal notice in writing.

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5. Every effort will be taken to ensure that notice of a disciplinary measure, whether formal or informal, will be given at an appropriate time, eg: not immediately prior to, or during a broadcast

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6. Notice of a disciplinary measure will be given by a designated [staff / board member]

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7. Volunteers will be provided an appeal against the action. This may take the form of a meeting with the appropriate [staff / board member] or a representation in person and/or in writing to the board.

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8. The volunteer may bring a representative to any such meeting.

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9. Should an appeal result in a change of the disciplinary action, or removal of it, this will be confirmed in writing to the volunteer.

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10. **Conduct which may lead to disciplinary action includes, but is not limited to:**
  - a. Poor timekeeping and unreliability
  - b. Not following pre-existing station rules and policies, including programming policies and program briefs
  - c. Engaging in acts or broadcasts which may breach the Codes
  - d. Engaging in broadcasts which may breach other related legislation such as the Broadcasting Services Act 1992 (which includes sponsorship provisions), copyright or defamation laws
  - e. Inappropriate handling or use of station equipment or other property
  - f. Rudeness or hostility towards other volunteers or staff members
  - g. Intoxication through alcohol or other substances during working hours
  - h. Publicly bringing [station name] into disrepute

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- 
11. Some conduct may be tantamount to 'gross misconduct', in this instance a volunteer may be dismissed without prior warning
- 
12. Conduct which may be classed as gross misconduct may include, but is not limited to:
    - a. Verbal or physical harassment of any other volunteer, employee, member or guest of [station name], particularly in respect of race, sex or religion
    - b. Wilful damage to or theft of property belonging to [station name] or other volunteer, employee, member or guest of [station name]
    - c. Falsifications of any of the organisation records for personal gain
    - d. Commercial misrepresentation of [station name].
- 
13. In a case of a volunteer being dismissed without prior warnings the volunteer will be provided an appeal as outlined in point 7
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## APPENDIX 5:

## Reporting suicide and mental illness responsibly – resources available

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

Suicide is a prominent public health issue in Australia with over 2,000 people dying by suicide each year.

### Some important facts about suicide are:

- Rates of suicide are generally three to four times higher among males than females
- Many more people attempt than die by suicide with hospital admissions for intentional self injury about ten times as common as deaths by suicide
- Migrants in Australia show similar suicide rates to those in their country of origin
- People in any form of custody have a suicide rate three times higher than the general population.

Mental illness is a major risk factor for suicide with psychological autopsy studies showing that up to 90% of people who suicide may have been experiencing mental disorder at the time of their death.

### Issues to consider when reporting:

- Should I run the story?
- Be careful with the language you use
- Don't be explicit about the method or location of suicide
- Discussion of celebrity suicide can glamourise suicide
- Consider the angle (or positioning) of the story
- Should you interview the bereaved? Is it necessary?
- Place the story in context
- Include helpline contacts in your story.

The Mindframe Media and Mental Health (MMMh) project is one of a suite of projects on suicide, mental illness and the media developed as part of the national media strategy. MMMh aims to build a collaborative relationship with the Australian media and mental health systems to enable a more accurate and sensitive portrayal of suicide and mental health issues across all news media in Australia. A key activity of MMMh is the development of a resource kit for use by media professionals. It is available from: [www.mindframe-media.info](http://www.mindframe-media.info)

## APPENDIX 6: Music Policy Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

This is an example of a policy that could be used to meet the requirements of Code 5.

### Background

Community broadcasters are renowned for supporting new, local, independent and particularly Australian music. Many musicians have had their first airplay and interviews on our stations. We are in a unique position to play and engage with a broad range of musical styles. Our support of the music industry and diverse music played is one of the key reasons people listen to community radio.

**The 2008 McNair Audience Research Survey shows that two key reasons people listen to community radio stations are:**

- 'They play Australian music/support local artists'.
- 'Specialist music or information programs'.

### Purpose

**The purpose of this policy is to ensure that [station]**

- continues to play a diverse range of music throughout all of our programming,
- supports local musicians, and
- complies with the 25% Australian music requirement of the Codes by aiming for 30% Australian music across all general programming. This allows for specialist programs (music and/or talk based) which may not be able to meet the 25% quota (see #2 under Policy below).

### Policy

1. Broadcasters are encouraged to provide a wide range of musical styles while taking into account the station's aims and objectives and the individual program's aims and objectives.
2. All programs will endeavor to ensure that of the total music played throughout a program, at least 30% of this is Australian unless:
  - (a) The program's aim is to focus on music or culture other than Australian
  - (b) The musical style of a program is of a nature that does not have a high instance of Australian recordings.
3. In the cases of 2.a and 2.b, prior approval must be given by the programming committee for a program to qualify for these exemptions.
4. All Australian recordings that are the property of the station will be visibly identified as Australian.
5. All presenters are required to complete and hand in a music log sheet after each program.
6. An audit of Australian music content will be conducted on a monthly basis.
7. Presenters are encouraged to, within the confines of the sponsorship framework, promote events where local musicians are featured.
8. Presenters must not make representations to record companies or other music suppliers on behalf of [station] unless prior consent has been given by the [board / music coordinator / program committee].
9. [station] will not accept any form of payment in cash or in-kind, in return for providing airplay or promotion of music, except under standard sponsorship arrangements.

## APPENDIX 7:

## Sponsorship Policy Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

This is an example of a policy that could be used to meet the requirements of Code 6.

### Background

Under the *Broadcasting Services Act 1992* (BSA) community broadcasters are not permitted to broadcast 'advertising'.

**Sponsorship, however, is permitted and this is akin to a limited form of advertising. The BSA outlines two key requirements of a sponsorship announcement:**

- Sponsorship content will be limited to five minutes in any hour (BSA Sch 2, Part 5 clause 9 (3))
- Every sponsorship announcement will be clearly "tagged" (BSA Sch 2, Part 1, clause 2 (2)(b)).

**In line with Code 6 [station name] will make sure that:**

- Sponsorship will not be a factor in determining access to broadcasting time,
- editorial decisions affecting the content and style of individual programs are not influenced by program or station sponsors, and
- editorial decisions affecting the content and style of overall station programming are not influenced by program or station sponsors.

Further information on sponsorship requirements is available ACMA's *Community Broadcasting Sponsorship Guidelines 2008* – see [www.acma.gov.au](http://www.acma.gov.au).

### Purpose

The purpose of this policy is to ensure compliance with the BSA and the Codes and also to give clear direction on [station name] ethos toward sponsorship.

### Policy

1. All sponsorship announcements will comply with the three key sponsorship conditions outlined above.
2. All sponsorship arrangements shall be recorded on a standard contract and approved by the station manager or person responsible.
3. Sponsorship will not be accepted from companies that promote tobacco or gambling.
4. Sponsorship from companies promoting alcohol may be accepted, however the announcements must not:
  - (a) promote the misuse of alcohol, or
  - (b) be directed towards minors.
5. Sponsorship will not be accepted from individuals or groups whose policies or practices are inconsistent with the general directions of [station name].
6. Sponsorship announcements will be produced and presented in a style and form consistent with the program in which they are to be placed.
7. Individual presenters and members are not entitled to seek sponsorship on behalf of [station name] without the written consent of the [station manager/board of management].
8. Under no circumstances can presenters accept gifts, products or services or payments in return for promotion of a product, service or business.
9. [station name] reserves the right to refuse any paid announcement.

## APPENDIX 8: Complaints Policy Example

*This appendix is for guidance only and does not form part of the Community Radio Codes of Practice 2008*

This is an example of a policy that could be used to meet the requirements of Code 7.

Code 7 outlines our legal requirements relating to complaint handling.

### Purpose

The purpose of this policy is to outline the most appropriate way for [station name] to respond to complaints, and other comments from members of the public.

1. [station name] acknowledges the right of our listeners, members and volunteers to comment and make complaints in writing concerning alleged non-compliance with both the licence conditions in *the Act* and the requirements outlined in the Codes

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2. We broadcast at least one on-air announcement each week that contains information about the Codes and where listeners can get a copy.

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3. [station name] will make every reasonable effort to resolve complaints, except where a complaint is clearly frivolous, without sufficient grounds or not made in good faith.

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4. **[station name] 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 in *the Act*, and the response will include a copy of the Codes,

- (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, and
  - (ii) received a substantive response from the licensee and are dissatisfied with this response or did not receive a response from the licensee within 60 days after making the complaint.

- 
5. A written complaint or response can be a letter, fax or email.

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  6. A responsible officer of the licensee will maintain a record of complaints and responses for a period of at least two years from the date of the complaint.

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  7. The record of complaints and responses will be made available to ACMA on request.

### Reporting and Record Keeping

To ensure stations can make a full response to ACMA if requested, the station is advised to include in their procedures the following steps:

**To keep a record of material relating to complaints, including logging tapes or audio copies of broadcast material, and written documentation for one year, including:**

1. the date and time the complaint was received,

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2. the name and address of the complainant,

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3. the substance of the complaint, and

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4. the substance and date of the licensee's response.

## **[station name] Complaints pro-forma**

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Remember to treat all complaints from the public in a serious and polite manner. The person would not bother to make the complaint unless they held a genuine interest in the station and felt they had legitimate concerns. Do not be dismissive of their approach to the station. Assure them that their complaint will be taken seriously and will be dealt with professionally and according to established policy.

### **Nature of Complaint**

A complaint should relate to a Code of Practice. NB: Complaints relating to potentially defamatory material must be relayed to your insurance company immediately.

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**Program associated with complaint:**

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**Date and Time of Program Broadcast:**

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### **Contact Details of Complainant**

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**Name of person making the complaint:**

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**Address:**

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**Telephone:**

**B:**

**H**

**Mob:**

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**Email:**

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## Complaints Process

This process must be completed within 60 days from the date on which the complaint was made

### The appropriate person at the station

Name:

Date:

Action	Y	N	Date
Receives the verbal complaint			
Notes:			
<hr/>			
<hr/>			
<hr/>			
Receives the formal complaint in writing			
Notes:			
<hr/>			
<hr/>			
<hr/>			
Checks the logged program material (and keeps the log for 60 days from date of complaint)			
Notes:			
<hr/>			
<hr/>			
<hr/>			
Sends written station response to complainant			
Notes:			
<hr/>			
<hr/>			
<hr/>			

Action	Y	N	Date
Organises follow-up with complainant (eg: meeting)			

Notes:

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Provides contact details for ACMA to complainant *			
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Notes:

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All relevant documents in Complaints File			
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Notes:

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**\* Contact Details for ACMA are as follows:**

Community Broadcasting Group  
 Australian Communications and Media Authority  
 PO Box Q500, Queen Victoria Building  
 Sydney NSW 1230 Fax: (02) 9334 7799 Email: communitybroadcasting@acma.gov.au

**Result**

The complaint is .....	resolved	unresolved
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Name of station representative:

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Position:

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Signed:

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This Complaints Sheet was developed by the CBAA.

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# Acknowledgements

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