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Implementation update for the
independent external review of IPSO
by Sir Bill Jeffrey

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Foreword

IPSO (The Independent Press Standards Organisation) is the independent regulator for the newspaper, magazine, and digital news industry in the UK. Established in 2014, IPSO holds newspapers and magazines to account for their actions, protects individual rights, upholds high standards of journalism, and helps to maintain freedom of expression for the press.

IPSO plays an important role in scrutinising the standards of journalism at many of the UK's most read and influential publications. By providing transparent and independent accountability for the publishers we regulate, we raise editorial standards and support excellent journalism.

In turn, IPSO itself can benefit from public scrutiny. For this reason, in 2022, we commissioned former senior civil servant, Sir Bill Jeffrey, to conduct an independent external review of our governance, operations, and future direction. His report was made public in April 2023 and is [available on the IPSO website](#). This document sets out our reflections on the recommendations of the Jeffrey Review and how we are taking them forward.

Introduction

Sir Bill Jeffrey, former Political Director in the Northern Ireland Office, and Permanent Secretary at the Ministry of Defence from 2005 until his retirement in November 2010, was appointed by IPSO to conduct a review into how effectively we are fulfilling our role as regulator of the UK newspaper, magazine, and digital news industries, including processes for assessing and responding to complaints, and our wider work to improve media standards.

Assisted by Rebecca Keating of the chambers 4 Pump Court, Sir Bill conducted the review of IPSO from October 2022 to March 2023. They spoke to a range of internal and external stakeholders, including former complainants and others who have engaged with the organisation. They also engaged external groups who interacted with IPSO in its standards-raising role; IPSO-regulated and non-regulated publishers; and IPSO's Appointment Panel, Board, Complaints Committee, and staff members. The review was openly publicised, and anyone was free to make a confidential submission directly to Sir Bill and his team. We are grateful to all stakeholders for their engagement and contributions which informed this review.

The Review highlighted processes that are currently working well within IPSO but flagged a need for action to refine accessibility and transparency. It suggested ways to improve practices and resolve key challenges within the organisation, including operational procedures, contractual agreements with regulated publishers, and governance arrangements.

Review Findings and IPSO Response

We welcomed the Review's finding that IPSO is "well led and managed". It was encouraging to read that IPSO has "influenced the industry for the better", is "operating independently", and that while IPSO is subject to "constraints" due to its governance structure, there was "no sign of improper influence by the industry on complaints decisions, or that decisions were taken in other than an impartial way".

The Review also made a series of recommendations for changes to aspects of IPSO's operations and areas for further consideration by IPSO's Board. These made the Review a particularly useful document with a positive contribution to make in moving our work forward.

IPSO's Board and senior management considered and discussed the findings in great detail, and our formal response to the Review is laid out below.

The Review highlighted 36 main conclusions, which included 29 recommendations across 13 different areas, including governance, management, funding, and communications.

What follows is our response to the recommendations outlined in the Review; an update on our progress in implementing the recommendations we accepted; and the further actions we intend to take.

Headline commitments

Governance and Funding

IPSO maintains lay majorities on its Board and Complaints Committee, but members with recent editorial experience play a key role in its governance and structure.

The Review recommended that both IPSO and the Appointments Panel (which appoints Board members) should use each exercise to replace industry members of the IPSO Board as an opportunity to bring in very recent industry experience.

- We agree that editorial members with recent experience of working practices and challenges within the industry have a key role in ensuring that IPSO regulation remains relevant and authoritative.
- We will continue to emphasise recent experience of service in the recruitment and selection of new Board and Complaints Committee members.

Action Taken:

Appointments panels pay particular regard to recency of experience when making appointments for editorial roles.

The Review encouraged IPSO to provide more public information, in more places, about how we are funded, particularly within its annual reports.

- We accepted this recommendation, and it has been incorporated into our 2022 Annual Report, published in October 2023. As of late 2023 we are in the process of developing a new website, which will make information about IPSO's finances and funding more prominent and accessible.

Action Taken:

New IPSO website, due to launch in 2024, will make information about IPSO's finances and funding more prominent and accessible.

Action Taken:

2022 Annual report includes new information about IPSO's funding arrangements.

The Review also discussed the importance of the current funding settlement and the upcoming period of preparation for a new long-term funding settlement. The Review suggested that IPSO and the Regulatory Funding Company (the arms' length body that finances IPSO and is funded by regulated publications) should consider committing to five-year settlements within both bodies' Articles of Association.

- We accepted the recommendation that this should be given consideration, and this is underway.

Action Taken:
IPSO and the Regulatory Funding Company have opened discussions about a third long-term budget settlement.

The Review recommended that consideration be given to changing governance arrangements to make the Editors' Code of Practice Committee a committee of IPSO. Currently, the Editors' Code of Practice Committee is independent of IPSO's Board. (It is appointed by the Regulatory Funding Company – although the lay members of the Committee are appointed following nomination by the IPSO independent Appointment Panel.)

Citing recommendations in the Leveson Report, the Review suggested while, within the industry, the Code is "clearly respected and well-regarded", bringing the Code more clearly in-house would strengthen IPSO's independence and standing as an authority on editorial standards.

- After in-depth discussions with the Board, we have decided not to take this action forward at this time. The Board noted the finding that the Code is well-respected, and that editorial expertise is a key part of its success; it considered that changes to the ownership of the Code could have unintended consequences by reducing its credibility and acceptance within the industry. Given that the current system has produced a set of principles for good journalism that have garnered significant authority and respect and shown the ability to adapt with changing circumstances, a change could present an unnecessary risk.

Complaints Procedures

The Review included a thorough discussion of IPSO's complaints handling procedures and made numerous recommendations for improvements.

Changes to complaints procedures

The Review found that the initial sift to identify complaints that fall outside of IPSO's remit is done "conscientiously" but suggested that IPSO should continue to explore ways to simplify the process.

- An internal review is currently in progress to consider how complaints from third parties are dealt with, which has included engaging with other regulators who have faced similar issues. It is hoped that this will reduce the resource required for this process, while improving complainants' experience because it will limit correspondence about complaints that do not raise a possible breach of the Editors' Code and therefore cannot be taken forward.

Action Planned:

Reviewing how complaints from third parties are dealt with.

The Review discussed the consistency of Complaints Committee decisions and noted the benefits of referencing relevant cases. Whilst the Complaints Committee does not operate a system of binding precedents, it does consider similar prior cases to inform its decision-making. We are committed to ensuring that the Complaints Committee has access to appropriate contextual information.

Action Planned:

Complaints Committee has access to appropriate contextual information on complaints investigations.

The Review discussed the sanctions available to the Complaints Committee when it establishes a breach of the Editors' Code. It recommended that IPSO should give consideration to new sanctions including possible fines for individual breaches of the Editors' Code and the ability to require the publication of apologies (in addition to the current position, which is that IPSO can require publication of corrections and sanction publications for failing to offer an apology when appropriate). IPSO's Board formally considered the potential introduction of new sanctions at two full meetings following the delivery of the report. Whilst it recognised the power of an apology to provide redress and vindication for those who have been harmed by misconduct, a forced apology is unlikely to be a sincere declaration of regret and raises potential freedom of expression concerns.

- We have found over the past nine years that the Complaints Committee's ability to issue corrections and adjudications means that rulings provide effective accountability. Adjudications and corrections are a simple and fair way to provide timely and proportionate redress. They occupy valuable space without the need for IPSO to establish the precise cost to the individual publisher and avoid a situation where fines become a "cost of doing business". Instead, IPSO rulings allow readers to see justice in action – by providing them with a written account of the breach. The option remains for IPSO's Board to issue fine for the most serious cases, following a standards investigation.

Action Taken:

Board consideration of potential changes to sanctions.

Communications around complaints

The Review noted that the complaints process is flexible and can accommodate complaints of varying complexity and duration.

This makes it more accessible and more easily adaptable to individual circumstances, but it increases the challenge of communicating clearly with complainants, including about what will

happen to their complaint and how long they should expect it to take.

The Review included some recommendations on areas in which we can communicate more fully with complainants about the process and likely outcomes.

The Review recommended that IPSO adopts published targets for the time taken to conclude investigations, with summary figures included in the Annual Report, along with an explanation of the factors which affect the outcome.

- We accept this recommendation and have included summary figures for time taken to handle complaints and contextual information in the 2022 Annual Report.

Action Taken:
2022 Annual report reports on the time taken to handle complaints.

While noting that the time taken to investigate complaints is not a reliable indicator of quality, as complex and challenging complaints will naturally take more time to investigate, we are considering the development of overall target timings to serve as a guide for members of the public.

The Review also suggested that IPSO should consider expanding on the current Review process, which enables complainants and publishers to request an independent review of the process followed to consider complaints.

- The Board is currently considering the feasibility and potential impact of such a change.

The Review also suggested that communication could be improved around the 28-day “referral” period, during which complaints are handled by publishers in-house; it suggested that public information could be clearer about the circumstances within which the 28-day period can be reduced at complainants’ requests.

- These recommendations were accepted, and we have updated our communications.

Action Taken:
Communication has been made clearer on the 28-day referral period for complainants.

Standards and Stakeholder Engagement

As part of our work to raise editorial standards, we monitor patterns of concern or interest in relation to editorial standards. As the report identifies, our internal monitoring has been successful at recognising patterns of concern. Nonetheless, we agree that there are opportunities for developing internal reporting in this area.

Internal monitoring

To identify emerging problems in individual publications, the Review suggested we develop criteria or thresholds

for triggering a closer look at complaints which have been resolved within the 28-day reference period.

The Review identified a risk that problems at publications may be missed if we do not take account of issues that are resolved between the publication and the complainant before an investigation is underway.

- We have updated our internal monitoring processes to take account of the Review's recommendations.

Action Taken:

Updated our internal monitoring process to recognise patterns of concern in editorial standards.

New and updated guidance

The Review also highlighted the position of Scottish publications, who are subject to a substantially different legal regime, which

may affect the application of the Editors' Code.

It was recommended that we should re-examine our guidance to take account of the differences in the Scottish context and amend where necessary.

- We have begun to review all existing guidance and have already incorporated changes into recently issued guidance. This has included consulting Scottish organisations such as Rape Crisis Scotland and For Women Scotland when preparing guidance around Sex and Gender Identity and the reporting of Sexual Offences and including the differences in Scottish law and practices in the Guidance for Journalists on Deaths and Inquests, and Guidance for Journalists on the reporting of Sexual Offences.

Action Taken:

New and revised guidance have incorporated the difference in Scottish context.

**Action Planned:
Launching new guidance on online corrections.**

The Review called for more guidance on digital and online delivery of news. Although online news has not altered our fundamental role in considering complaints, the Review suggested that it has reduced the 'reach' of our sanctions for breaches of the Editors' Code. For instance, what constitutes due prominence for the placement of a correction, or the text of an adjudication is less straightforward on a news website than in a printed publication.

- We agree that this is an area for further consideration. As a first step we will launch new guidance on prominence of online corrections.

Furthermore, the Review suggested that we should discuss with publishers the issues which arise in dealing with complaints about online comments by readers.

- We agree and have identified this as an area for further work in 2024.

**Action Planned:
Discussing with publishers the issues arising in dealing with complaints regarding online comments.**

Communications

The Review made recommendations for improvements to IPSO's communications about its work. These were particularly timely as we are preparing for the launch of a new website.

Accessibility and Transparency

Detailed considerations have been incorporated into the website design which will be much more accessible, transparent, and helpful for members of the public, complainants, publishers, journalists, and other users of the site.

The new website will include information on other relevant complaints handling bodies along with links to their websites, to

help people who may not be aware of the remits of different regulators.

We have commissioned the services of a language translation company to improve our ability to communicate with members of the public who do not have English as a first language.

**Action Taken:
IPSO is now supported by a translation service to improve accessibility for those who do not use English as a first language.**

Action Planned:

The new website design has incorporated more accessible, transparent, and helpful layout and language.

Action Taken:

The IPSO website has been updated on the Arbitration Service and Whistleblowing Hotline.

The Review called for IPSO to do more to publicise under-used areas of its work, including its Whistleblowing Hotline for journalists and the Arbitration Service, which provides a low-cost alternative means of resolving legal disputes between claimants and regulated publishers who participate. The Review highlighted that parts of the existing website about the arbitration service require an update.

- In response, we have updated the website section regarding the arbitration service. We have also reviewed the communications around the Whistleblowing Hotline as part of our wider communications plan to identify opportunities to promote this service. We are also considering further opportunities to work with other sector organisations to promote the awareness and profile of the hotline.
- We have made renewed efforts to communicate with stakeholders on the benefits and availability of the Arbitration Service, which will feature prominently on the new website, including in the context of debate about Strategic Lawsuits Against Public Participation, and are exploring actions into how best to communicate this.

Action planned:

Identifying further opportunities to promote the Arbitration service and Whistleblowing Hotline.

Future Considerations

Raising public awareness and building our profile as a trusted champion of high editorial and journalistic standards was a principal focus of the Review. This is a focal point of our [5-year strategy](#), published earlier in 2023, which outlines a commitment to building transparency and accessibility to improve public trust and understanding of regulation, and effective communication of the relevance of the principles embodied in the Editors' Code of Practice and our regulations to new types of journalism, regardless of medium or channel.

Action taken:

A focal point of our Five-year Strategy is building our profile as a trusted champion of high editorial standards.

Action planned:

Issuing industry standards on the use of AI.

With the new introduction of artificial intelligence (AI) into industry practice, the Review suggested that we continue to contribute to the development of industry thinking on how the use of AI can advance high quality journalism.

- We have publicly restated the important principle that editorial responsibility applies to published material created through generative AI. We have begun to consider how we can play a constructive role to support publishers and journalists to maintain editorial standards through this transition.

Action taken:

To reflect technological developments, we have released a new complaints database, incorporated project management software, and are in the process of refreshing our website.

The Review also urged IPSO to stay abreast of technological developments that could assist us in streamlining our operations. On top of the refreshed website currently in development, we have recently launched a new complaints database, which will provide a much more intuitive platform for the complaints team and other staff. We are also making greater use of technology in management processes, for example project management software.

Conclusion

We are once again grateful to everyone who contributed to this enlightening and informative Independent External Review of IPSO, with particular thanks to Sir Bill Jeffrey for his insights. We have welcomed and reflected on the Review, taking into consideration many of the valuable recommendations which have been extensively discussed internally and incorporated into our newer strategies and frameworks.