

Leveson Inquiry into the culture, practices and ethics of the press

Written statement of Colette Bowe, Chairman of Ofcom

A. DR COLETTE BOWE

1. Current role and career history

- 1.1 I have been Chairman of the Ofcom Board, which is Ofcom's main decision making body, providing strategic direction for the rest of the organisation, since 11 March 2009.
- 1.2 I am also the Chairman of Electra Private Equity plc and a Board Member of , Axa Deutschland GmbH, the UK Statistics Authority, a Governor of Bancroft's School, and trustee of the Tablet Trust.
- 1.3 I was appointed to the Board of Ofcom on 1 January 2008. Prior to this, I held a number of senior roles in the public and private sectors. I began my career at the Department of Trade and Industry and subsequently worked at the Independent Broadcasting Authority, the Securities and Investment Board, as Chief Executive of the Personal Investment Authority and as Executive Chairman of the European Asset Management Business at Robert Fleming. I chaired Ofcom's Consumer Panel from its inception in 2003 to December 2007. I was also a trustee of the Wincott Foundation between 2003 and May 2011, a board member of the National Institute for Economic and Social Research from 2002 - 2010 and was Chairman of Council at Queen Mary College, University of London from 2004 to 2009. I have been a Liveryman of the Drapers' Company since 2007.

B. THE OFCOM BOARD

2. Introduction

- 2.1 I have read and agree with the written statement provided by Ed Richards. I give some further details about Ofcom's Board below.
- 2.2 As Ed Richards explains, the Board is Ofcom's main decision-making authority. It has a central governance function, with oversight of the fulfilment of Ofcom's general duties and specific statutory responsibilities as well as its adherence to the ethos of a public service organisation. The Board also has oversight of Ofcom's overall funding and expenditure.
- 2.3 The Board meets at least once a month (with the exception of August). Agendas and notes of meetings are published regularly on the Ofcom website¹. I will briefly outline the composition and role of the Board, before

¹ <http://www.ofcom.org.uk/about/how-ofcom-is-run/ofcom-board-2/>

providing further details of our decision making procedure and the principles by which we are guided.

3. Composition and role

- 3.1 I am a non-Executive Chairman and the Board includes both executive and non-executive members. Its Executive Directors include the Chief Executive, Ed Richards. The Executive is responsible for Ofcom's day-to-day running and is answerable to the Board, and the work of both Board and Executive is informed by the contribution of a number of advisory bodies.
- 3.2 The Board is comprised of up to nine members besides myself². Six of the Board's members are part-time members, appointed by the Secretary of State for Culture, Olympics, Media and Sport; up to three members are full-time Executive members, including the Chief Executive. Our membership is determined in accordance with the Office of Communications Act 2002 and is published.
- 3.3 The Board may establish standing committees and ad hoc committees. Procedural arrangements for all Board Committees are set out in their respective remits which are available on the Ofcom web-site or from the Secretary to the Corporation, Graham Howell. All Board Committees report to the Board.

4. Decision making

- 4.1 The quorum for Board meetings is five Board Members (including at least the Chairman or Deputy Chairman) with a majority of Board Members who are not executive Members.
- 4.2 The Board acts on a collective basis and decisions of the Board are made by consensus rather than by formal vote. If it is not possible to reach a shared decision, or should any Member insist, a vote will be taken and will be recorded in the minutes (although only numerically, without attributing votes to an individual unless a Member so requests). In the case of a tied vote, I have a casting vote in addition to my original vote.
- 4.3 Before any item is discussed, Members will declare any direct or indirect interests or connections they may have. Interests which should be declared are not only financial ones but those which involve some material benefit to either party. A person with an interest must not take part in any relevant discussion or decision unless the other Members present decide unanimously that the interest is to be disregarded.
- 4.4 It is my responsibility at the end of each agenda item to summarise the decision which has been taken, and the Secretary's responsibility to ensure that this is clear enough for minuting.

² <http://www.ofcom.org.uk/about/how-ofcom-is-run/ofcom-board-2/members/>

5. Governing principles

- 5.1 As the body charged with governing Ofcom's strategic direction, the Board has agreed that its members will abide by the following principles:
- (a) The Board will operate on the principles of collective responsibility, support and respect.
 - (b) Board members should have access to all the information necessary to ensure vigorous debate and effective decision-making.
 - (c) In all situations, all Board members will be deemed to have agreed with all decisions.
 - (d) External pressure will not alter Board processes except for potential timelines.
 - (e) Board members' behaviour in response to decisions is required to be the same inside and outside Ofcom.
 - (f) Minority views will not be made public internally or externally.
 - (g) Nominated Board members (other than those who disagreed with a decision) may be required to explain and articulate specific decisions.
 - (h) If a Board member resigns he or she may state the basis for the disagreement, but may not publicly rehearse the arguments of other Board members.
- 5.2 Board members and senior colleagues are instructed to use their discretion when accepting invitations to visit and/or socialise with certain stakeholders, especially during purdah periods. Purdah periods are those between application closure and licence award for television, radio and telecommunications licences or during negotiations for commercial contracts where the inviting stakeholder is participating as an applicant or contracting party and also specific periods during which a significant decision is being made by Ofcom which either involves or will affect that stakeholder.
- 5.3 If there is doubt about the appropriateness of an invitation the Secretary to the Corporation will provide guidance. Where a Board Member or senior colleague is, however, directly involved in the decision process for any particular issue, there is an absolute bar on accepting or offering hospitality to the stakeholder(s) involved, although this does not preclude normal business meetings.