



Further to the implementation of the Broadcasting Act 2009 and with direct reference to Section 47 Part 4 Liffey Sound 96.4 FM are pleased to inform our listeners that the following procedure is in place should a complaint relating to a broadcast/s and/or advertisement/s wish to be made.

**Code of Practise regarding Complaint/s re Broadcast/s or Adverts/s
on Liffey Sound 96.4 FM**

You may submit a complaint to us if you are of the opinion that a broadcast or part of a broadcast on our service has breached one or more of the following obligations:¹

(i) News

We will ensure that our news programming is *objective and impartial without any expression of our own views*.

(ii) Current affairs

We will ensure that our current affairs programming is:

- *Objective and impartial* without any expression of our own views; and
- will treat the subject matter and all interests concerned *fairly*.

If we cannot achieve *fairness, objectivity and impartiality* in one current affairs programme, we will do so in related broadcasts that will be broadcast within a reasonable period of each other.

(iii) Programmes

We will ensure that our programming does not contain any content which may reasonably be regarded as

- causing *harm or offence*;
- tending to *promote, or incite crime*;
- tending to *undermine the authority of the State*; or
- Unreasonably encroach upon *the privacy of an individual*.

¹ The categories of complaints are specified in the Broadcasting Act, 2009.

We also will ensure programming is in compliance with the BAI Code of Programme Standards on http://www.bai.ie/pdfs/bci_cops_Mar07.pdf

(iv) Commercial Communications^[1]

All commercial communications broadcast by us will be in compliance with the BAI General Commercial Communications Code and the BAI Children's Commercial Communications Code on http://www.bai.ie/pdfs/bci_cops_Mar07.pdf and http://www.bai.ie/pdfs/childrens_commercial_communications_code.pdf

If you have a complaint that does not fall under the categories set out in (i) to (iv) above, we would invite you to avail of our feedback/complaints facility at secretary@liffeysoundfm.ie

If your complaint concerns alleged defamation, you should refer to the BAI Right of Reply Scheme.²

The BAI codes can be accessed at www.bai.ie or are available on request from the BAI offices.

How do I make a complaint?

You can first contact Liffey Sound by telephone, or by emailing secretary@liffeysoundfm.ie or letter and inform us of your complaint. A member of our Board will contact you to discuss what concerned you and attempt to resolve the matter to your satisfaction. If we cannot resolve your complaint to your satisfaction, and you are satisfied that your complaint is covered by this *Code of Practice*, you should submit the following details in writing (letter, fax or email):

Complaint/s must be sent **in writing** to

- Secretary, Liffey Sound Board of Management, Ballyowen CCC, Lucan Co Dublin
- or by email to secretary@liffeysoundfm.ie

A form for either programme or advert complaint is provided by clicking on the following link – Advert Complaint Form: http://liffeysoundfm.ie/docs/advert_complaint_form.pdf or Programme Complaint Form: http://liffeysoundfm.ie/docs/programme_complaint_form.pdf for your convenience, when returning you should include the following details:

² The Right of Reply Scheme was prepared by the BAI pursuant to section 49 of the Broadcasting Act, 2009.

- your name and address;³
- the category of complaint
- the date, time of broadcast;
- the name of the programme, news item or advertisement/commercial communication that you have viewed/heard and which is the subject of your complaint;⁴
- detail exactly what, in the broadcast, concerned you;

In order for your complaint to be accepted and considered, it **must** include the above details and must refer to a programme, advertisement or other form of commercial communication already broadcast on our service.

Liffey Sound 96.4 FM is committed to protecting the rights and privacy of individuals in accordance with the Data Protection Acts 1988 – 2003.

NB: Liffey Sound will not accept complaints, which we deem to be of a frivolous or vexatious nature

The Broadcasting Act, 2009 requires you to make your complaint not more than 30 days after the date of broadcast:

(a) if your complaint relates to one broadcast, 30 days after the date of that broadcast;

(b) if your complaint relates to two or more unrelated broadcasts; 30 days after the date of the earlier or earliest of those broadcasts;

(c) if your complaints relates to two or more related broadcasts of which at least two are made on different dates; 30 days after the date of the later or latest of those broadcasts.

Complaints submitted outside of these time periods cannot be considered.

The Secretary will acknowledge in writing receipt of the complaint within 7 working days advising that:

- The Board will consider the issues raised in your complaint.
- We will listen to the programme/broadcast item identified in your complaint.
- Where appropriate, we will consult with any party to which your complaint relates, for example, the advertiser, the presenter or programme maker, to give that party an opportunity to provide observations and comments in relation to the issues raised by you.

³ The name of the complainant will not be published without his/her prior consent, for example, where a complaint is upheld. The contact details are for use by Liffey Sound 96.4fm only.

⁴ Liffey Sound 96.4fm is not obliged to send you a copy of any broadcast. You yourself should have heard/viewed the broadcast in question.

We may uphold or reject a complaint. Upholding a complaint means that we believe that our programming did not comply with our obligations covered by this *Code of Practice*. Rejecting a complaint means we believe that our programming was in compliance with our obligations.

If we uphold your complaint, we will seek to resolve it to your satisfaction in an agreed manner. The manner of resolution will be decided on a case-by-case basis but may include an apology, correction, clarification and/or the offer of a rebuttal. This response will be sent to you within 21 days from receipt of your complaint.

Should the complainant not be fully satisfied with the outcome of the Boards decision the complainant has the right to refer the complaint onto the Broadcasting Authority of Ireland (BAI). Full details of how to proceed with the complaint together with the necessary forms are available by visiting their website www.bai.ie.

Their contact details are:

Complaints Officer
Broadcasting Authority of Ireland
2 – 5 Warrington Place, Dublin 2

Phone: (01) 6441200
Fax: (01) 6441299
E-mail: complaints@bai.ie

A full copy of the Broadcasting Act 2009 is available to download from <http://www.oireachtas.ie/viewdoc.asp?fn=/documents/bills28/acts/2009/a1809.pdf>

Record of Complaints:

Liffey Sound is required under the Broadcasting Act, 2009 to keep a record of all complaints submitted in accordance with this *Code of Practice* for **two** years. We are also obliged to provide these records to the Compliance Committee of the BAI if the Committee so directs. Our records will include copies of your complaint, our response/s and the audio copies of the broadcast material.

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