



Dealing with information about supervision

An insight into how the Dutch Media Authority deals with confidential Information

For a properly functioning democracy, it is crucial that citizens can form a free opinion based on broad and independent, reliable information. Everyone in the media contributes to this, from public and commercial media institutions to commercial on-demand media services, video uploaders, video platform services, and book vendors. To ensure that the media offer is independent, accessible, diverse, and safe, **independent supervision** by the Dutch Media Authority (hereafter: the Authority) is necessary.

As a supervisor, the Authority aims to be **as open as possible** about how it carries out its tasks. The Authority explains why it makes certain choices, discloses (as much as possible) its findings of supervision, and is accountable for how it performs its tasks. For example, the Authority provides accountability in its annual report, press releases, reports, and/or supervision letters.

However, sometimes the Authority also needs to keep certain information confidential. Institutions must be able to trust that (certain) information provided by them is treated confidentially, in order to protect their legitimate interests. This ensures the proper implementation and effectiveness of supervision. This concept is also referred to as '**supervision confidentiality**'.

This interest is also reflected in the recently established **supervision approach**. The approach describes the purpose of supervision, the playing field in which the Authority operates, and the supervision vision that guides it. Supervision confidentiality is part of the supervision approach.

How does the Authority deal with this? As a regulator, the Authority conducts investigations. Additionally, it holds confidential supervision information at various times. Whether certain oversight information is confidential depends mainly on the nature of the information. Think, for example, of strategic business information.

When it comes to supervision confidentiality, the Authority distinguishes (briefly summarized) three themes:

- (Ongoing) procedures** in which the Authority decides.
- (Ongoing) investigations** conducted by the Authority.
- Information** shared with the Authority, of which the Authority is expected to be aware of its **confidential nature**.

The Authority generally **does not provide information** on these three themes.

The Authority accounts for them afterwards.

Sometimes the Authority makes exceptions to this principle, for example, if information is already **public**, if there is factually **incorrect information** circulating, or if an **important goal** can be achieved through disclosure.

As a supervisor, we remain helpful in answering questions. And we continue to provide the media sector with information. More information can be found in the [message on our website](#) (the information is in Dutch) about the supervision approach.