



department for
**culture, media
and sport**

Television Access Services for People with Sensory Impairments

July 2010

Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

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Chapter 1: Introduction

The Government fully recognises how important access to television services is for people who have sensory impairments.

The Department for Culture, Media and Sport works closely with the broadcasting industry, key groups representing the interests of viewers and listeners and members of the public to help increase access to television for all groups of people, increase choice and maintain programme standards and quality.

This leaflet explains the current legal requirements for the provision of subtitling, sign language and audio description services on analogue and digital television, and provides information on other issues relating to television access services.

In January 2001 the Department published the results of a review of the statutory requirements for the provision of subtitling, sign language and audio description services. The Communications Act 2003, which received Royal Assent in July 2003, under the previous Government extended the obligations on channels to provide subtitling, signing and audio description. OFCOM is responsible for setting out the detailed obligations of channels and for monitoring compliance. The OFCOM website (www.ofcom.org.uk) provides information on the creation and development of OFCOM.

Chapter 2: Subtitling

Targets for Public Service Channels (Channel 3, Channel 4, Channel 5 and the BBC)

Legislation requires that at least 90% of Channel 3 and Channel 4 programmes and at least 80% of programmes on Channel 5 must be subtitled within 10 years.

These targets must be reached within 10 years of 1st January 2000 in the case of Channel 3 and Channel 4, and within 10 years of 1st January 1998 in the case of Channel 5. Channel 5 have met their 80% minimum target and as Ofcom's fourth quarter report for 2009 shows

http://www.ofcom.org.uk/tv/ifi/guidance/tv_access_serv/tvaccessrep/q409/

they are currently subtitling 82.5% of their programming.

The BBC is also required by the Agreement between the BBC and the Secretary of State to achieve the level of subtitling to which it has committed, that is, 100% of programmes on its main channels (BBC One, BBC Two, BBC Three, BBC Four, CBeebies, CBBC and BBC News) by 2008. The BBC achieved this target in the timescale to which they committed.

Details of the interim targets which these channels must meet are set out in Ofcom's Code on Television Access Services, which is available on its website

(<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/ctas.pdf>)

Targets for other channels

The Communications Act 2003 extends subtitling obligations to many other channels, whether they are broadcast by digital terrestrial or digital satellite signals. Details of which channels are obliged to provide subtitling, and the current targets they are required to meet, are set out in Ofcom's Code on Television Access Services, which is available on its website (<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/ctas.pdf>)

Relevant channels are required to subtitle 80% of programmes (subject to certain exemptions set out in the Code) within 10 years.

A ten year period in which to satisfy the targets gives services sufficient time to plan for the introduction of them, which is important given the substantial costs involved. For those services with new obligations, the Communications Act also introduced a fixed five year interim target of 60% for subtitling to accelerate progress during the early years. This will lead to the availability of much more subtitling than might have been expected on a linear progression to 80%.

Chapter 3: Signing and Audio Description

Targets for Digital Terrestrial Television (DTT), Digital Cable and Digital Satellite Services

The Communications Act 2003 requires OFCOM to draw up a code on promoting the understanding and enjoyment of programmes by viewers with sensory impairments. The Code includes minimum targets for the signing and audio description of programmes by licensees as laid down in the Act, which can be amended by the Secretary of State through secondary legislation.

The 2003 Act extends the DTT targets to cover digital cable and satellite services. The current targets are for 10% of programmes to be audio described and 5% of programmes to be signed by a ten year anniversary. OFCOM has set interim targets in its Code on Television Access Services, which is available on its website

<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/ctas.pdf>

Audio Description

Audio Description provides additional narration which fits between dialogue and describes action, body language, facial expressions etc. Audio description is available on channels listed in Ofcom's Code on Television Access Services (<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/ctas.pdf>). Audio description can be received by subscribers to digital satellite and digital cable services by adjusting the settings on their set top boxes, and by viewers of digital terrestrial channels, by purchasing a suitable receiver.

The Government's role is to set the legislative framework within which audio description and other services for people with sensory impairments can be provided. Requiring broadcasters to meet legal targets is the most effective and practicable way to ensure the provision and expansion of these services. That is why we have extended the target for audio description on DTT to digital cable and digital satellite services.

Signing

There is no legal requirement for any one particular approach to the provision of programmes in sign language. Broadcasters can meet the requirement either by programmes being translated into sign language or programmes being made by or for deaf people and presented in sign language.

Monitoring the Service

OFCOM monitors how well relevant television channels meet the legal requirements and has the power to impose sanctions, including fines, on broadcasters who do not comply.

Chapter 4: Other Issues

Ofcom Television Access Service Reviews

As outlined earlier in this leaflet, the Communications Act 2003 requires OFCOM to draw up a code on promoting the understanding and enjoyment of programmes by viewers with sensory impairments. The Code includes minimum targets for the signing and audio description of programmes by licensees as laid down in the Act, which can be amended by the Secretary of State through secondary legislation. Under current legislation, Ofcom are required from time to time review and revise this code.

Ofcom first published their Code on Television Access Services in July 2004, and conducted the first review of the Code in 2006.

The outcome of the 2006 review was that the existing Code should remain broadly unchanged. They also concluded that it would be premature to make any recommendation to Government for changes to the statutory quota for audio description, until awareness improved and the level of take-up amongst potential beneficiaries became clearer.

In 2009, Ofcom carried out a further review of their Television Access Services Code. They considered that changes to the access services landscape and to the economic climate since 2006 made this an appropriate time to conduct a further review of the Code.

Ofcom published its 2009 Review of Television Access Services consultation document on 3rd September.

The review focussed on three key issues:

1. whether the criteria for selecting which channels provide access services remain fit for purpose;
2. whether the current exemption from providing access services which is applied to channels targeting areas outside the UK should be re-examined; and;
3. whether there is a case for recommending an increase in the audio description quotas to Government.

The review laid out three options for future levels of audio description quota and invited responses on these by 12 November 2009.

These options were:

Option 1: no change in existing regime,

Option 2: an increase in the audio description quota to 20% for all channels required to provide access services and

Option 3: an increase in the Audio Description quota to 20% for the 10 statutory Public Service Broadcasters (BBC 1,2,3,4, CBBC, CBeebies, ITV1, C4, Five and S4C).

On 11 June 2010, Ofcom published the results of their findings in which they concluded that the arguments for each of the three options for future levels of audio description were very finely balanced and that the decision on whether or not to increase the target is one for Government to make in accordance with current legislation.

Government Response to Ofcom's Television Access Services Review

The Government carefully considered Ofcom's work and also took into account voluntary commitments made by Sky, the BBC, ITV and Channel 4 to audio describe 20% of their programming. Based on the findings before Government, we have taken the decision not to increase the statutory 10% audio description target at this time.

At the request of the Government, Ofcom will continue to monitor current levels of audio description and we have asked Ofcom to report to us if average levels of provision fall significantly below current levels so that the Government can consider whether to review the targets, or invite Ofcom to review and make recommendations.

The Government's response to Ofcom's Television Access Services Review can be found on the DCMS website at:

<http://www.culture.gov.uk/publications/7237.aspx>

Standards and Complaints

OFCOM has published guidelines setting out the standards that licensees are expected to observe in providing subtitling, sign language and audio description. These can be found in Annex 2 of Ofcom's Code on Television Access Services (<http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/ctas.pdf>)

It is important that broadcasters are aware of any concerns regarding their services. Complaints or concerns regarding subtitling, signing and audio description services on relevant channels should be addressed to the broadcasters providing these services. A selection of broadcasters contact details can be found below:

BBC

BBC Access Services BC3 A5

Broadcasting Centre

London W12 7TP

www.bbc.co.uk

Channel Four Television
Corporation

124 Horseferry Road

London SW1P 2TX

www.channel4.com

Independent Television (ITV) Network Ltd

200 Grays Inn Road

London WC1X 8HF

www.itv.co.uk

Channel Five Broadcasting Ltd

22 Long Acre

London WC2E 9LY

Tel: 020 7550 5555

www.channel5.co.uk

The Welsh Fourth Channel

(S4C)

Parc Busnes Ty Glas

Llanishen

Cardiff CF4 5DU

www.s4c.co.uk

British Sky Broadcasting Ltd

6 Centaurs Business Park

Grant Way

Isleworth TW7 5QD

www.sky.com

Alternatively to the regulator:

OFCOM

Riverside House

2a Southwark Bridge Road

London

SE1 9HA

www.ofcom.org.uk

Television Licence Fees

People over the age of 75, many of whom may have sensory impairments, can benefit from free TV licences introduced from November 2000.

People who are blind or severely sight impaired can benefit from the half price television licences introduced from April 2000.

The reduction for blind people was not extended to deaf and hard of hearing people. Instead, the previous Government accepted the recommendation of the Gavyn Davies Review Panel into the future funding of the BBC, that the Corporation should aim to subtitle 50% of programmes on its new digital services by 2003 and 100% by 2008. More subtitling, rather than a reduction in the licence fee, was favoured by the Royal National Institute for Deaf People in its evidence to the review panel.

The Disability Discrimination Act

Section 21 of the Disability Discrimination Act requires service providers to take positive steps to make their services accessible to people with disabilities. It states that where a service provider offers or provides services to members of the public, the provider will have to take such steps as is reasonable to make it easier for disabled people to make use of the service. Broadcasters are service providers and this therefore applies to them.

What is a reasonable step for a particular service provider will depend on the individual circumstances of the case. It may be, for example, that providing subtitling for some programmes is considered to be a reasonable step for a broadcaster to take to make it easier for disabled people to use the service.

Digital Switchover Help Scheme

Digital switchover is the process by which analogue television broadcasting signals are being phased out in favour of digital signals. The process will allow many more television channels to be carried using less radio spectrum than is currently used, expanding choice for consumers. The main digital switchover programme started in

November 2008 and is proceeding ITV region by ITV region until the end of 2012, by which time all analogue transmissions will have ceased in the UK.

The previous Government and the BBC set up the Digital Switchover Help Scheme to offer those aged 75 or over, disabled and visually impaired people and care home residents practical help to make the switch to digital television on one of their sets.

The Help Scheme will:

- Provide easy-to-use equipment that suits a person's needs, including a range of features such as audio description which can assist people with specific usability needs;
- help with installing equipment;
- fit a new dish or aerial, where they can, if it is needed to make the new equipment work;
- give people an easy-to-understand demonstration of how everything works and;
- follow-up support.

Participating in the Scheme will cost a subsidized £40. However, help will be available free of charge where the eligible person is also in receipt of certain income related benefits.

The Help Scheme will contact every eligible person directly well before their area switches to digital, allowing plenty of time to prepare for digital switchover.

More information about the Help Scheme is available on the Switchover Help Scheme website at <http://www.helpscheme.co.uk>

Background Noise

Research indicates that a significant proportion of the population, especially elderly people, suffer from a reduced ability to distinguish clearly foreground dialogue from background music or sound effects in television programmes. This is a matter for the individual broadcasters and programme makers.



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