

Department for Culture, Media and Sport
Broadcasting Policy Division



department for
culture, media
and sport

Television Access for People with Sensory Impairments

A DCMS Leaflet

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Chapter 1: Introduction

- 1.1 The Government fully recognises how important access to television services is for people who have sensory impairments.
- 1.2 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.
- 1.3 This leaflet explains the current legal requirements for the provision of subtitling, sign language and audio description services on analogue and digital television, and answers some frequently asked questions.
- 1.4 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 on the Departmental website (see 1.5), which is also available in hard copy on request from our public enquiry unit at DCMS, 2-4 Cockspur Street, London, SW1Y 5DH.
- 1.5 More information about the work of the Department can be found on our website www.culture.gov.uk or via our public enquiry unit on 020 7211 6200 or fax 020 7211 6210.
- 1.6 The Communications Act, which received Royal Assent in July 2003, 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

- 2.1 The Communications Act 2003 replaced all previous legislation concerning the provision of subtitling, signing and audio description services.
- 2.2 Targets for public service channels (Channel 3, Channel 4, Channel 5 and the BBC)
- 2.3 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.
- 2.4 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.
- 2.5 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 all output by 2008.
- 2.6 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 (www.ofcom.org.uk).
- 2.7 Targets for other channels
- 2.8 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 (www.ofcom.org.uk). Relevant channels are required to subtitle 80% of programmes (subject to certain exemptions set out in the Code) within 10 years.
- 2.9 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 introduces 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%.

2.10 Monitoring the Service

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

Chapter 3: Signing and Audio Description

- 3.1 Targets for Digital Terrestrial Television (DTT), Digital Cable and Digital Satellite Services
- 3.2 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.
- 3.3 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 (www.ofcom.org.uk).
- 3.4 Audio Description
- 3.5 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 (www.ofcom.org.uk). 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.
- 3.6 At present, Government have no plans to raise the 10% target for audio description. In their recent review of television access services Ofcom 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. Ofcom expects to review awareness and usage in time to make a recommendation to Government before the current statutory targets are due to be reached in 2009.
- 3.7 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.

3.8 Signing

3.9 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.

3.10 Monitoring the Service

3.11 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: Standards

4.1 Standards for Television access services

4.2 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 on Ofcom's website (www.ofcom.org.uk).

4.3 Complaints

- 4.4 It is important that broadcasters are aware of any concerns regarding their services, especially subtitling. Concerns regarding subtitling, signing and audio description services on relevant channels should be addressed to the broadcasters. Their addresses are:

TELEVISION BROADCASTERS

BBC
BBC Access Services BC3 A5
Broadcasting Centre
London W12 7TP

Independent Television (ITV) Network Ltd
200 Grays Inn Road
London WC1X 8HF
Tel: 020 7843 8000
www.itv.co.uk

Channel Five Broadcasting Ltd
22 Long Acre
London WC2E 9LY
Tel: 020 7550 5555
www.channel5.co.uk

British Sky Broadcasting Ltd
6 Centaurs Business Park
Grant Way
Isleworth TW7 5QD
Tel: 020 7705 3000
www.sky.com

Channel Four Television Corporation
124 Horseferry Road
London SW1P 2TX
Tel: 020 7306 8366
www.channel4.com

The Welsh Fourth Channel (S4C)
Parc Busnes Ty Glas
Llanishen
Cardiff CF4 5DU
Tel: 029 2074 1458
www.s4c.co.uk

Alternatively to the regulator:

OFCOM
Riverside House
2a Southward Bridge Road
London
SE1 9HA
Tel: 020 7981 3000
www.ofcom.org.uk

Chapter 5: Other Issues

- 5.1 **Television Licence Fees**

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

- 5.3 **People who are blind can benefit from the half price television licences introduced from April 2000.**

- 5.4 **The reduction for blind people was not extended to deaf and hard of hearing people. Instead, the Government accepted the recommendation of the 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.**

- 5.5 **The Disability Discrimination Act**

- 5.6 **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.**

- 5.7 **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.**

5.8 Digital Switchover Help Scheme

- 5.9 "Digital Switchover" is the process by which analogue television broadcasting signals will be 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. Digital switchover will commence in late 2007 in Whitehaven, followed by the rest of the Borders region in 2008 and proceed ITV region by ITV region until 2012, by which time all analogue transmissions will have ceased in the UK.
- 5.10 In September 2005, the Government announced the Digital Switchover Help Scheme to make sure that no one is left behind in the switch to digital TV. The Help Scheme, which focuses on providing practical assistance, is being put in place to ensure that individuals who most need help can continue to receive and watch the TV channels that they get today, after switchover has taken place.
- 5.11 The scheme is aimed at people aged 75 and over, people with significant disabilities and people who are registered blind or registered partially-sighted. People with significant disabilities are those who receive Attendance Allowance or Disability Living Allowance.
- 5.12 The assistance and support provided by the Scheme will include:
- providing equipment to convert one TV set
 - help with installation
 - follow-up support
- 5.13 This provision will be free to the poorest eligible households ie those on Income Support, Job Seeker's Allowance or Pension Credit. Other eligible households will need to pay a one-off modest fee.
- 5.14 We are working with charities – including the RNIB, the RNID, Age Concern, Help the Aged and the Consumers' Association – along with the Department for Work and Pensions, Department for Trade and Industry and the BBC to develop and deliver the Help Scheme.
- 5.15 The details of the Help Scheme are currently being confirmed. It will be managed by an independent organisation and funded by the BBC.
- 5.16 Those individuals who are eligible for the Help Scheme will be sent more details well before their area switches to digital, allowing plenty of time to prepare for digital switchover.

5.17 Background Noise

5.18 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.