

Transcript for BSL videos

Video 1 – Introduction

This video has been made by Ofcom. Ofcom is the regulator for communications services, including TV and on-demand services. We regulate a variety of on-demand services, including catch-up services like ITV Hub and All 4, and subscription services like Now TV and Amazon Prime.

On-demand services are increasingly popular, but they are often not accessible to people with hearing and sight impairments, because they don't provide features like subtitles, audio description and signing. These features are called 'access services'.

Broadcasters must provide access services, but there aren't yet any similar rules for providers of on-demand services. In 2018 we made recommendations to Government on new rules for catch-up and on-demand services.

What did we recommend?

We recommended that on-demand services should provide subtitling on 80% of their programmes, audio description on 10% and signing on 5%. They should do this within four years of the rules coming in. We also said that there should be exemptions from these requirements:

- where it would be too expensive;
- where there wouldn't be much benefit to audiences; and
- where there are major technical difficulties.

Why are we consulting now?

The Government has now asked us for more detail on how the rules should work and to make further recommendations so that it can draft the regulations.

These videos give a summary of our proposals on areas where we particularly want to hear from sign-language users.

What's next?

We will translate all BSL responses into English and publish them on our website unless you tell us that you want your response to be confidential. The deadline to respond is 16 September 2020.

We will take all views into account before publishing our further recommendations to Government.

How can you respond in BSL?

You can either:

- email a short video in BSL to vodaccessibility@ofcom.org.uk
- upload a video in BSL to YouTube or another hosting site and send the link to vodaccessibility@ofcom.org.uk

Video 2 – Signing requirements

For background: what are the rules for signing on television?

On television, larger broadcasters must provide signing on 5% of their content. They mainly provide ‘sign-interpretation’ - this is when a signer in the corner of the screen translates the programme into sign-language.

Smaller broadcasters have requirements for ‘sign-presentation’ – this is when programmes are presented entirely in sign-language. This is more expensive to provide than sign-interpretation. Smaller broadcasters have to either provide a small amount of sign-presented programmes on their own channels, or, as an alternative, many broadcasters provide funding to the British Sign Language Broadcasting Trust (“BSLBT”). BSLBT shows sign-presented programmes on the BSL Zone. The BSL Zone is available online on its own website, and also on Film 4 and Together TV.

What do sign-language users want to see on on-demand services?

We do not have a simple answer to this. Charities tell us that sign-interpretation makes mainstream TV accessible, while sign-presented programming enables BSL users to see their culture and preferred language on-screen.

Preferences may vary for different programme genres. Sign-presentation may be more important on children’s programming, while sign-interpretation may be more important on mainstream news and current affairs.

There is not much up-to-date research in this area, and we want to learn more about the preferences of sign-language users.

How should the rules for on-demand signing work?

If we take a similar approach to the television requirements, one option we could recommend is to require larger on- demand providers to offer sign-interpretation. Smaller providers could either provide sign- presentation on their own service, or fund a provider of sign-presented on-demand programming, such as BSLBT.

However, we think this approach may be too restrictive. The preferences of BSL users may vary for different genres and for different on-demand services.

Our proposal is to recommend that on-demand providers should have a choice between providing 5% sign-interpretation, a smaller amount of sign-presentation on their own service, or funding a provider of sign-presented on-demand programming, such as BSLBT. Providers could choose one of these options or a mixture.

When making their choice, providers would need to show Ofcom that they have considered our ‘best practice guidelines’ on signing. We are planning to update these guidelines. To help us to do this, we are planning to carry out a survey among BSL users on their preferences.

What about broadcasters who already have signed programmes?

We think providers should have to provide sign-interpretation on content which has previously been signed on television. This would ensure there is sign-interpretation on catch up services such as ITV Hub, All 4 and My 5.

Video 3 – Targets

We recommended to the Government that providers should offer subtitling on 80% of their programmes, audio description on 10% and signing on 5% within four years of the rules coming in.

Within two years of the rules coming in, we recommended they should provide subtitling on 40% of their programmes, audio description on 5% and signing on 5%.

Should there be any more targets?

We propose that Ofcom should set out optional targets for year 1 and year 3. This would help providers to meet the targets for year 2 and 4, which they would have to meet by law.

How do these targets work when on-demand programmes are available over more than one platform?

For example, a catch-up TV service might be available on a website, a mobile app, and via apps on TV platforms like Freeview and Apple TV.

We think there are two alternative recommendations we could make to Government on the ways the targets could work:

What's option 1?

Providers can choose how they meet the targets across their platforms but must consider how audiences will benefit. So, providers could make more programmes accessible on platforms with better accessibility features, and fewer programmes accessible on less popular platforms.

What's option 2?

Providers have to make the same amount of content accessible across their platforms. This might mean fewer programmes are accessible on each platform to begin with, but this would increase over time.

What are we proposing?

We prefer option 2. We want to encourage accessibility across all platforms, as far as possible. We think this means that people are less likely to need to buy new services or devices to enjoy accessible content.

Video 4 – Exemptions

We've already recommended to Government that there should be exemptions when it would be disproportionate for providers to meet the requirements. But how do we work this out in practice?

On-demand services are available across a large range of different platforms and devices. For example, their own websites and apps, along with 'third-party' platforms where they have less control, like Amazon Prime and Sky On-Demand.

Are there significant technical difficulties?

We generally expect providers to be able to make their own websites and apps accessible. We propose exemptions for any on-demand provider that can show it has made a reasonable effort to provide access services on a 'third-party' platform but has been unsuccessful.

Is there enough benefit to audiences?

We think that on-demand providers should not have to provide access services on any platform where they have a very low audience. This could be measured as less than 0.4% of the UK population with access to the internet.

Are the requirements affordable?

We think there should be exemptions:

- for any on-demand provider which is a 'small company' under the Companies Act.
- when the cost of meeting requirements is more than 1% of a provider's turnover.

Is it all or nothing?

If providers can't afford the full requirements, we've already recommended to Government that they should meet lower subtitling targets along with the full audio description and signing targets.

If providers can't afford the lower targets, then we think that they should be exempt from providing signing where this would mean they could offer some subtitling and audio description rather than nothing at all.