

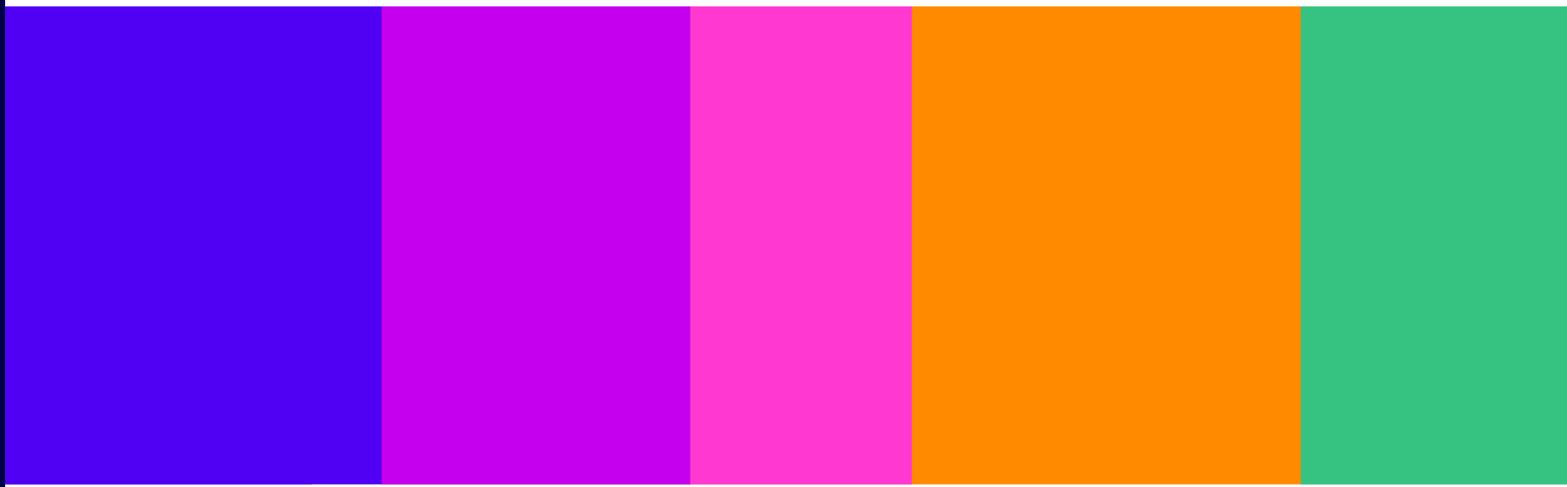
# Ensuring the quality of TV and on-demand services

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Statement on changes to the TV Access  
Services Code and updates to Ofcom's best  
practice guidelines on access services

**Statement**

Published 15 April 2024



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# 1. Overview

- 1.1 Over the last two decades the UK has seen huge advances in the amount of accessible content on television and video on-demand (VoD) services. Audiences, including (but not limited to) disabled people, now expect support in the form of subtitles, audio description and signing (collectively ‘access services’). This looks set to continue, with VoD accessibility requirements on the way<sup>1</sup> and rapid developments in technology like voice recognition making it ever easier to create access services. But with this progress comes a challenge - how do we ensure that these access services are of high quality and truly serving their purpose?
- 1.2 This statement sets out changes we have made to the Ofcom TV access services code (“the Code”) which sets out the statutory requirements, and the accompanying best practice guidelines (“the Guidelines”) which give recommendations on ensuring the quality and usability of access services. The changes follow extensive engagement with user groups, industry and accessibility experts, a public consultation and large-scale qualitative research we commissioned to explore the expectations and preferences of disabled audiences.

## Changes to the Code include:

- Clarification that access services need to be sufficiently high quality to count towards the enforceable targets
- More detailed expectations around communicating with audiences about access service provision

## Changes to the Guidelines include:

- Updates to include recommendations for VoD providers and to account for different ways of watching programmes (e.g. via mobile platforms)
- Inclusion of recommendations on serving people with cognitive and neurodevelopmental conditions
- A shift in focus towards highlighting key outcomes for audiences rather than the means of achieving them (and a recommendation to offer customisation options and choice where possible)
- Guidance on improving communication with audiences and seeking feedback from them
- Recommendations to consider accessibility throughout the making and distribution of content, including the use of techniques beyond conventional access services (e.g. to improve dialogue audibility) and offering/ requesting access service files alongside acquired content where this would avoid duplication of work.
- Specific key outcomes for audiences in relation to subtitling, AD and signing.

- 1.3 The overview section in this document is a simplified high-level summary only. The decisions we have taken, and our reasoning are set out in the full document.

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<sup>1</sup> Due to be introduced by the [Media Bill](#)

# 2. Background and our approach

## Background

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- 2.1 Broadcasters are required by law to provide subtitling, audio description and signing ('access services') on a proportion of their programming. Subtitling and signing primarily help those with hearing loss and d/Deaf people to access television, while audio description primarily helps those with sight loss and blind people. The requirements are set out in Ofcom's [Code on Television Access Services](#) (the 'TV access services code' or 'the Code').
- 2.2 There are currently no statutory requirements for access services on regulated on-demand programme services ('VoD services')<sup>2</sup>. But they are expected to be introduced via the new [Media Bill](#)<sup>3</sup>. We set out more detail on the expected processes and timings for introduction in Ofcom's [Media Bill Roadmap](#).
- 2.3 Ofcom has a duty to provide guidance on how broadcasters should promote disabled people's understanding and enjoyment of television, including on meeting the statutory quotas. This guidance is set out in the TV access services code ('the Code'). Broadcasters subject to quotas need to ensure that their access services are of sufficiently high quality so as to be effective in contributing to the required amounts of subtitling, audio description and signing.
- 2.4 Our Best Practice Guidelines ('the Guidelines') give recommendations around ensuring the quality and usability of access services. They are set out in a separate document to the Code, but we expect broadcasters to have regard to them in fulfilling their statutory quotas. Ofcom has a duty to encourage both broadcasters and VoD providers to develop accessibility action plans with a view to continuously and progressively making their services more accessible to disabled people<sup>4</sup>. We encourage providers to have regard to our Guidelines to support the development of their plans.

## This review

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- 2.5 Following informal engagement with a wide range of stakeholders, in [July 2023](#), we published a consultation to gather views on our proposals to:
- 2.6 make changes to our TV Access Services Code, including to make clear that access services need to be of sufficient quality to meet the enforceable targets; and
- 2.7 update our Best Practice Guidelines, including expanding them to include recommendations for providers of catch-up and VoD services.
- 2.8 We received 23 responses to the consultation, including:
  - 6 from groups representing consumers: The Makaton Charity, Mencap (a charity that works with people with learning disabilities), the National Association of Deafened People, Ofcom's Communications Consumer Panel and Advisory Committee for

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<sup>2</sup> See Ofcom's [Guidance notes on who needs to notify an on-demand service](#). A list of ODPS currently notified to Ofcom can be found [here](#).

<sup>3</sup> See Sections 368HL – 368HP of the [Media Bill](#).

<sup>4</sup> See our TV Access Services Code (2.3 and 7.2) and s368C(2) of the [Communications Act 2003](#).

- Older and Disabled people (CCP-ACOD), the Royal National Institute of Blind People (RNIB) and The Royal National Institute for Deaf People (RNID)
  - 6 from broadcasters and VoD providers: BBC, The British Sign Language Broadcasting Trust (BSLBT), Channel 4, ITV and STV, Paramount Global and S4C
  - 1 from a platform provider: BT<sup>5</sup>
  - 3 from other interested parties: academics at The Galician Observatory for Media Accessibility (GALMA), Red Bee Media (an access service provider) and Screen Scotland (part of Creative Scotland)
  - 4 individuals
  - 3 confidential respondents
- 2.9 To inform the review, we also commissioned a qualitative research study looking at the expectations and preferences of audiences for accessible programming across TV and VoD services. The research focused on experiences of both finding and watching subtitled, audio described and signed programmes. It primarily covered people with sight loss and blind people and people with hearing loss and d/Deaf people, including British Sign Language (BSL) users, but also included people with cognitive conditions. We have published the results of this research alongside the statement. Whilst we discuss the findings from the research alongside the consultation responses in this statement, the research was carried out separately to the consultation. Participants had not seen the consultation, nor are they giving their views on the proposals. Nevertheless, the findings provide valuable insight for this review.
- 2.10 This statement discusses areas of the Code and Guidelines on which we have received stakeholder responses and/or additional insight from our research<sup>6</sup>. It explains any further changes we are making to the Code and Guidelines. Readers should refer to the consultation for detail on other changes to the Code and Guidelines not discussed here.
- 2.11 We think that some points raised by stakeholders are best picked up in our proposed working group (see 4.15), including comments around standardisation of technical formats for access services and developments in new technologies. Other stakeholder comments are out of scope of this review, including requests for changes to legislation (a matter for the UK Government). Non-confidential consultation responses are published in full on [our website](#).

## Note on language

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- 2.12 In the consultation, we set out that we generally try to use language which reflects the [social model of disability](#) – so for example referring to ‘disabled people’ rather than ‘people with disabilities’. We also referred to ‘sight and hearing loss’ rather than ‘sight and hearing impairment’ but made clear this will sometimes vary depending on context (for example referring to people with cognitive conditions). However, several consultation respondents (RNID, RNIB, BSLBT) pointed out that ‘hearing loss’ does not represent people who are born deaf and who identify as Deaf, while ‘sight loss’ may not represent people who are born without sight. One individual respondent stated that ‘hearing loss’ can carry negative connotations, and he suggested we use the term ‘deafness and hard of hearing’. RNID suggested we use the terms ‘people with hearing loss and who are deaf’. We have updated

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<sup>5</sup> Although rebranded as EE TV since December 2023, this statement consistently refers to the name 'BT' which was used during the consultation period and in their response.

<sup>6</sup> See RIDC’s report on Audience Expectations of Access Services across TV and On-Demand Services.

the language in our Guidelines and Code as appropriate to refer to ‘people with hearing loss and d/Deaf people’ and ‘people with sight loss and blind people’. We note that individual preferences on terminology vary and develop over time, and we will continue to keep this under review and adapt accordingly. We have also replaced the references to cognitive and neurodevelopmental ‘disabilities’ with ‘conditions’ to reflect that some people with neurodiverse conditions (such as autism) may use access services but not identify as disabled.

## Impact assessment and equality impact assessment

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- 2.13 This document constitutes an impact assessment as defined in section 7 of the [Communications Act 2003](#) (the ‘Act’) provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice policy-making.<sup>7</sup>
- 2.14 We have considered the likely impacts of our decisions throughout this document, taking account of possible impacts highlighted to us in stakeholder responses along with our comprehensive audience research and engagement with industry and groups representing disabled people. This includes consideration of our overall change in approach to the guidelines to focus on key outcomes for audiences (on both broadcast and VoD services), rather than the specific means of achieving them. In short, this change towards a more flexible approach should encourage providers to use their resources in a way which better meets audience needs (across the different platforms on which programmes are delivered). These guidelines are recommendations, rather than binding requirements, so providers are not obliged to make investments beyond what is needed to meet the statutory requirements.
- 2.15 We have also made some changes to the Code, including to specify the factors we will take into account to determine whether access services are of sufficient quality to meet the targets. These changes should benefit providers and audiences by providing more clarity on expected standards of delivery, rather than introducing additional costs to providers (assuming they are already meeting required standards).
- 2.16 We have assessed the impact of our decisions on specified equality groups in an ‘Equality Impact Assessment’ in Annex 1.

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<sup>7</sup> For further information about Ofcom’s approach to impact assessments see our guidelines, [Better policy-making: Ofcom's approach to impact assessment](#).

## 3. Code

- 3.1 Alongside the updated Guidelines, we consulted on proposed updates to the TV Access Services Code, to clarify existing requirements.
- 3.2 The final version of the revised Code can be found in Annex 2. Below we set out responses to our consultation and our rationale for the final changes made.

### Quality Standards

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#### What we proposed

- 3.3 We clarified that in order to contribute towards numerical quotas, access services must be of sufficient quality. We outlined a number of factors that we will take into account (on a case-by-case basis) in this regard:
  - For subtitles: accuracy, synchronicity, readability, presentation and description of non-speech information. We will also consider whether the programming is live or pre-recorded.
  - For audio description: accuracy, comprehensibility and audibility
  - For signing: accuracy, synchronicity, and visibility
- 3.4 We also clarified that the Code's definition of subtitling refers to a service 'primarily for people with hearing loss', to differentiate from subtitles translating speech from other languages for a hearing audience, which don't convey information on non-dialogue sounds.

#### Stakeholder responses

- 3.5 While many respondents supported the principal of specifying that quotas should be met with access services of sufficiently high quality, there was some concern (BBC / Red Bee / BSLBT) over how this would be assessed in practice. The BBC said that quality measures for access services should be verified by user testing. Quality assessment was thought to be particularly difficult and subjective in relation to AD (Channel 4) and signing (Channel 4, BSLBT). Channel 4 also wanted to ensure that the focus on quality did not adversely affect one of our other goals – to encourage more sharing of existing access service files.
- 3.6 The BBC also asked for a more precise definition of terms used to describe relevant factors in quality, in particular the terms 'presentation' and 'accuracy', the latter of which could apply to a range of issues including identification of speakers and grammatical considerations when splitting text across lines.
- 3.7 An individual respondent felt that translation subtitles to a large extent serve the same purpose as subtitles for deaf people and those with hearing loss and so our Guidelines should not imply that translation subtitles are for hearing people only. Related to this, the BBC suggested that the majority of people who use subtitles don't in fact have hearing loss.

#### Our view

- 3.8 Although the reference to quality standards is a new addition to the Guidelines, it has always been the case that access services must be fit for purpose in order to fulfil the statutory

quotas. We believe it is helpful to emphasise this point, with a clearer indication of the factors which affect the use of each access service for its intended purpose. We do not believe it is helpful to go into more detail in this context as the list of factors is indicative and high level only. We have however amended ‘presentation’ to ‘presentation style’ for clarity, and amended punctuation to make clear that this is not specifically in relation to non-speech information.

- 3.9 If access services of potentially inadequate quality come to our attention (for example via a consumer complaint) we would assess on a case-by-case basis, taking action where appropriate, particularly when quality issues are frequent and/or significant. Our goal for the Code is to ensure access services on a given service are generally of ‘sufficient quality’ to meet the statutory quotas, not to deter broadcasters from increasing the quantity of accessible content. More broadly our Guidelines encourage broadcasters to balance an increase in both quantity and quality of access services - see 4.115 - 4.124 of this document for further discussion of our expectations with regard to processes providers should be undertaking to ensure quality.
- 3.10 We have clarified our definition of ‘subtitling’ to avoid both the implication that all subtitling is primarily used by d/Deaf people and those with hearing loss, and the suggestion that translation subtitles are not used by these groups. When we use the term ‘subtitling’ in the Code we refer to a service ‘suitable for use by people with hearing loss and d/Deaf people’.

## Promoting Awareness

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### What we proposed

- 3.11 We proposed clarification of our expectations around broadcasters’ communication with audiences about access service availability, particularly where access services have been disrupted.

### Stakeholder responses

- 3.12 Respondents largely agreed with these clarifications, with BSLBT and RNID both recommending that BSL is explicitly included as an appropriate form of communication. RNID also suggested that for information to be accessible it should be available in Plain English and should be highlighted on main pages, social media and, where possible, during broadcasts.
- 3.13 Red Bee sought clarity on the means by which effective communication might be achieved in different situations, while Paramount Global noted that in the event of an access services outage, broadcasters may not be able to give full clarity on timeframes for restoring services.

### Our view

- 3.14 We have clarified in the Code that effective means may include providing information in BSL. Similar changes have been made to our Guidelines around promoting awareness, including reference to Plain English communication and social media. We believe that the Code’s reference to ‘appropriate and effective means’ allows broadcasters to use their own judgement and knowledge of their audience in any given situation, while our guidance provides more detailed recommendations. We understand that comprehensive information

will not always be available to broadcasters but, as acknowledged by Paramount Global, the Code is intended to ensure that broadcasters are as informative as possible.

- 3.15 We have added to the Code a footnote reminder of Ofcom’s Television Technical Performance Code which specifies that Channel 3 licensees, the Channel 4 licensee and the Channel 5 licensee must ensure that the presence and reliability of any scheduled access services is given the same priority as ensuring the presence and reliability of those programmes’ vision and sound components.

## Application of quotas

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### What we proposed

- 3.16 We clarified, in line with the approach outlined in a [2022 breach decision](#), that we expect statutory quotas to be met by a service on each delivery platform where it is regulated, not calculated as an average across all delivery platforms.

### Stakeholder responses

- 3.17 While Channel 4 acknowledged the rationale for this clarification, they felt that it could in practice increase the burden on broadcasters in relation to reporting on a platform-by-platform basis. Similarly, the BBC thought it unfeasible for broadcasters to report on the accessibility of channels accessed through certain third-party devices where the broadcaster is not able to control presentation of access services. The BBC also questioned how this change would affect the calculation of audience share.

### Our view

- 3.18 These changes to the Code represent a clarification rather than a change in approach: broadcast accessibility quotas have always applied regardless of the means of delivery.
- 3.19 As outlined in our 2022 decision, Ofcom’s reporting process is undertaken on the basis that a broadcaster’s output, and the access services they deliver, are consistent across relevant platforms<sup>8</sup>. The reporting submission therefore reflects provision of access services on each relevant platform (rather than an average of cumulative provision across all these platforms).
- 3.20 We will continue on this basis, with the expectation that broadcasters will inform us if provision differs substantively across platforms. We would expect broadcasters to be able to monitor their output on platforms where a service is regulated<sup>9</sup>.
- 3.21 Likewise, there is no implied change to the way in which audience share is calculated, which will continue to be on the basis of average audience share of broadcast TV viewing. This measure is currently based on the UK standard broadcast TV measurement from Barb<sup>10</sup>, which takes into account broadcast viewing across a range of broadcast platforms.

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<sup>8</sup> Broadcast services are regulated when they are available via a [regulated Electronic Programme Guide](#) (EPG) or are based in the UK and broadcasting to a country party to the [European Convention on Transfrontier Television](#).

<sup>9</sup> See footnote 8.

<sup>10</sup> Using the Barb Gold Standard 7-day consolidated share of all broadcast viewing.

## Emergency announcements

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### What we proposed

- 3.22 Ofcom may be required by Government to give a direction to broadcasters to include emergency announcements in their services. We proposed updates to the Code to clarify that where this is the case these announcements should be made accessible to disabled people.

### Stakeholder responses

- 3.23 The BBC felt that this would impose an additional burden on broadcasters due to the nature of access services and potential technical difficulties in provision.

### Our view

- 3.24 This requirement of the Code reflects a legal requirement<sup>11</sup> which is not within Ofcom's power to change. It relates to specific circumstances where Ofcom is required by Government to direct broadcasters to include an announcement which relates to an emergency (including a natural disaster).
- 3.25 Our updated Guidelines includes more general non-binding recommendations on the provision of accessible information, including national emergencies.

## Other Code issues

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### Signing

- 3.26 BSLBT emphasised that they would like to see the 5% signing requirement viewed as a minimum requirement as deaf people with BSL as a first language may rely completely on signing in order to access programmes. We agree and note that our proposed Guidelines make this clear at 2.10 where we say that targets 'should be considered as minimum standards only' and that we encourage all broadcasters and VoD providers to increase provision as far as is practicable.
- 3.27 BSLBT also asked why flexibility around application of the 'signing threshold' (paragraph 5.7 of Annex 8 to the consultation) is not replicated in relation to the more general threshold for exemption from requirements on the grounds of audience share. This is because the 'signing threshold' is a specific threshold which only differentiates different levels of signing requirement – it is the level below which we allow broadcasters to fulfil their requirement via contributions to BSLBT. There is no equivalent threshold for subtitling and audio description.
- 3.28 BSLBT also suggested that there should be more in the Code definition of 'signing' to reflect the passing of the BSL Act (England) in 2022 and that we should consider changing the word 'gestures' to 'language'. We had included reference to the BSL Act in our proposed Guidelines and have now added a similar reference to the Code definitions. In this context

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<sup>11</sup> [Communications Act 2003](#) s336 (3)

we have kept the reference to manual 'gestures' as it is just part of a description of sign language as a whole.

## Publication of Code

- 3.29 BSLBT said that the Code should be available in BSL. We agree with this recommendation and will arrange for a BSL summary of the Code to be available on our website.

## Additional considerations

- 3.30 A number of respondents to our consultation made suggestions which would require further legislation in order to implement them via the Code. This includes mandating the inclusion of available access services alongside sale of content (NADP), requiring access service providers to promote diversity within their workforces (GALMA) and requiring broadcasters and on-demand providers to offer programmes in Makaton for children and adults with complex communication needs (the Makaton Charity). It also includes BSLBT's suggestion that, in meeting signing quotas, signed content broadcast during unsocial hours should count for less than that broadcast during peak hours.
- 3.31 While these areas are out of scope of the current revisions to the Code, we have included related recommendations in our revised Guidelines (see sections 2.11, 2.13, 2.28 and 5.10 , of the revised Guidelines). We welcome further conversation on how to encourage progress through our new working group.
- 3.32 See 2.10 for an explanation on the use of terminology to describe relevant audiences in the Code
- 3.33 We note one further change that has been made to the Code (sections 5.4 (b), 5.6 (b) and A1.1 of the revised Code) to amend the statement that we update Annex 1 (setting out audience share and signing thresholds for non-domestic broadcasters) on an annual basis. Following the withdrawal of the UK from the European Union, there have to date been no licensed channels for which it is necessary to update this information. We have therefore referred instead to updating the Annex 'from time to time'.

# 4. Overarching Guidelines

## Summary – Changes to the Overarching Guidelines

We have expanded our overarching guidance on making programmes accessible to include additional recommendations on:

- serving people with cognitive and neurodevelopmental conditions
- customisation options and choice for viewers (\*including use of multiple access services at the same time)
- increasing the availability of accessible content where possible, including by sharing access service files alongside content \*where it will reduce duplication of work
- alternative means of making content accessible (e.g. improving dialogue audibility and \*the accessibility of adverts)
- making emergency information and moments of national importance accessible
- timely provision of access services for VoD content
- features which make access services easy to find on VOD services (such as filters and content categories) and \*raising awareness of how to use such features
- considering accessibility issues early in the content production process
- monitoring for quality (\*both pre- and post-transmission) and seeking feedback (\*including by user testing)
- \*ensuring compatibility with assistive technologies

An asterix (\*) symbol indicates some of the main changes we have made following consultation.

4.1 The final version of the revised Guidelines can be found in Annex 3. In the following chapters, we set out responses to our consultation and our rationale for the final changes made.

## Our general approach to the Guidelines

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### What we proposed

4.2 Our previous Guidelines contain specific advice for broadcasters on how access services should be presented, some of which is based on outdated television standards. However, we proposed that our new Guidelines should cover both broadcast and on-demand accessibility, focusing on key outcomes for audiences rather than the specific means by which these outcomes are achieved (for example, the principle of clearly differentiating speakers in subtitling, rather than specific guidance that colours should be used to do this).

4.3 Beyond this review of the Guidelines, we said we would continue to push for progress in access services quality, including by keeping the Guidelines and the accessibility section of our website under regular review, and by creating a new working group which convenes user representatives, broadcasters and VoD providers.

## Stakeholder responses and our research findings

- 4.4 Respondents were supportive of our proposal to expand the Guidelines to cover on-demand services. BT asked for clarity over the definition of video on-demand services in scope of the Guidelines and BSLBT said that the Guidelines should cover IPTV (Internet Protocol Television).
- 4.5 Some respondents asked for the language of the Guidelines to be stricter (for example, suggestions that providers ‘must’ follow certain recommendations. Conversely, others suggested that the Guidelines be worded in a more flexible way (for example, to avoid specifying that national emergencies/ moments of national importance should be made accessible with all three access services when this may not always be practicable).
- 4.6 Respondents generally agreed with our proposed approach to focus on key outcomes for audiences, agreeing that a ‘one size fits all’ approach to the presentation of access services is no longer appropriate. Our research also showed that preferences often vary in relation to how access services are presented within programmes (particularly in relation to presentation of subtitles) and that participants valued the ability to customise access services (see section 3.3.3. of our research). Many consultation respondents agreed that the Guidelines should remain flexible enough to accommodate for personal preferences and developments in the media landscape.
- 4.7 However, some respondents said that consistency in presentation may still be useful in certain circumstances, for example, in the choice of font (CCP-ACOD, RNID) and labelling of non-speech information (CCP-ACOD), and NADP said there should be a standard default subtitle format. In addition, RNIB said that familiar user interfaces can often be more accessible, particularly for those using assistive technology or people less comfortable using technology and digital interfaces, and that we should encourage industry to agree on standardised user interfaces and interaction methods for access features. Participants in our research also expressed a desire for more consistency in the availability and presentation of navigational tools for finding accessible content across different services (see section 3.2.2. of our research).
- 4.8 In addition, the BBC said that the new guidelines are likely to result in a significant worsening of access services quality as providers will be granted additional flexibility, including in relation to the exchange of access services between providers.
- 4.9 Many respondents agreed that the Guidelines should be kept under regular review and welcomed the proposed working group. Some respondents wanted further detail on how Ofcom would measure the success of the new measures (Screen Scotland, BSLBT) and how meaningful consultation with audiences would be achieved (Screen Scotland). CCP-ACOD said that Ofcom and regulated providers also need to work with device manufacturers to ensure that the customer journey to accessing TV and VoD services is made accessible.

## Our view

- 4.10 We consider the Guidelines are relevant for any provider of TV-like content. More specifically, we encourage regulated providers to have regard to our Guidelines in

developing their accessibility action plans<sup>12</sup>. Broadcasters should also take account of these Guidelines when providing access services to meet the statutory targets.

- 4.11 It is for Government to determine which providers are in scope of regulation (for example, Government recently [consulted](#) on whether to expand the scope of EPGs regulated in the UK in light of the growth of IP delivered services). However, Ofcom is able to exempt broadcasters from the statutory targets taking into account factors such as cost and audience benefit.
- 4.12 In the Guidelines, we aim to use language which reflects the status of these Guidelines as a set of recommendations rather than binding requirements (for example, ‘providers should’ or ‘we encourage’). Generally, we have used slightly firmer language when providing recommendations in relation to subtitles, AD and signing, in comparison to other means of making programmes accessible (which do not contribute to the statutory quotas). These Guidelines aim to support providers to progressively improve the accessibility of their services and in general we do not think it necessary to remove aspects from our recommendations because they are not currently practicable across all services and/ or platforms. Providers should take a proportionate approach to adopting the recommendations, which also takes account of their available resources and the needs/ preferences of their given audiences.
- 4.13 In general, we have decided to retain our approach of focusing the Guidelines on key outcomes for audiences, rather than recommending specific styles of presentation. We do not agree that a more flexible approach will lead to a worsening of access service quality – very specific guidance is no longer appropriate now that programming is delivered in a variety of a ways, including on different platforms and devices (e.g. smart TVs, mobile phones), and these guidelines are more likely to have an impact in practice when focused on key outcomes. While our guidelines recommend that access services files are shared as part of content acquisition deals where practical, we have made clear that this should not come at the expense of meeting quality standards (see 4.44 for more detail)
- 4.14 However, in the new Guidelines we have aimed to provide more examples of accessible and/ or commonly used ways of presenting and indicating access services (for example, the use of fonts and symbols for indicating music in subtitles) for any providers or audiences who may be less familiar with these styles. We also plan to discuss areas where more consistency might be useful in the working group (for example, presentation of user interfaces).
- 4.15 We expect the working group to help facilitate consultation between user representatives and providers, so that best practice continues to develop in line with audience priorities. While the working group is likely to be predominantly made up of regulated providers, we will aim to include other parties involved in the customer journey in relevant conversations, including device manufacturers.
- 4.16 In addition, we expect to consider possible measures to support the ease of navigating to accessible content when implementing relevant requirements in the [Media Bill](#) once it has become law. These will include new accessibility requirements on certain VoD services (including requirements to ensure that adequate information is made available about the

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<sup>12</sup> We have a legal duty to encourage regulated broadcasters and ODPS to develop accessibility action plans – see our TV Access Services Code (2.3 and 7.2) and s368C(2) of the [Communications Act 2003](#). In our new TV access services code, we have added that we encourage broadcasters to refer to our best practice guidelines for advice on developing their action plans (see 7.3 of our TV access services code)

assistance provided for disabled people) along with new requirements on certain platform providers (likely to include popular smart TVs and set top boxes) to ensure their services are made accessible to disabled people. We expect to consult on new Codes setting out how relevant providers can comply with these requirements ([see Media Bill implementation roadmap](#)).

- 4.17 We plan to keep our approach to monitoring quality of access services under review, in consultation with the working group. We note that the Media Bill includes provisions that will require relevant VoD providers to report to Ofcom annually on steps taken to secure the quality and usability of the means by which their services are made accessible to disabled people.

## Understanding audiences

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### What we proposed

- 4.18 We proposed that providers should make their programming more accessible to people with other disabilities, beyond blind people and those with sight loss, and D/deaf people and those with hearing loss. Whilst these latter groups continue to be primary focus of these Guidelines, we want to encourage providers to consider the needs and preferences of audiences with other disabilities, such as cognitive, neurodevelopmental and complex disabilities<sup>13</sup>.
- 4.19 We also encouraged providers to bear in mind the broader benefits of access services for all viewers. For example, audiences using subtitles when watching in noisy or public environments, or children using them to improve literacy levels.

### Stakeholder responses and our research findings

- 4.20 Respondents were generally supportive of our approach to broaden the scope of the Guidelines to include people with disabilities other than sight/ hearing loss. However, Channel 4 said that, while they strongly believe in making programming accessible to as wide an audience as possible, broadcasters should look to these guidelines for detailed advice on the core regulated access services and that it is important to keep in mind the principal audiences the services are being created for.
- 4.21 The Makaton Charity stated that there remains a gap in serving the needs of the 1.5 million people with autism, learning disabilities and other complex communication challenges, and encouraged consideration of these needs when designing access services.
- 4.22 Our research explored how audiences with cognitive and neurodevelopmental conditions use access services to improve their engagement with and understanding of content. For example, subtitles were used by participants in these groups to help them validate what they heard, retain information, and/or improve their reading or spelling. Audio description was also used by some participants to better understand what was going on visually in the

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<sup>13</sup> The [2020 Audiovisual Media Services regulations](#) made changes to our regulatory duties so that Ofcom now has a duty to provide guidance on how to promote the understanding and enjoyment of television by disabled people as a whole and in particular by people with sight and/ or hearing loss.

programme, for example by identifying emotions or body language (see section 3.1.4. of our research for more detail).

- 4.23 More broadly, S4C pointed to the benefit of subtitles in helping a proportion of their audience to learn Welsh.

## Our views

- 4.24 Our guidelines primarily focus on serving people with hearing loss and d/Deaf people and people with sight loss and blind people, emphasising that these groups should be the primary focus in providing access services to meet the statutory quotas. However, we think it is important to cover other conditions in the guidelines, not least as some audiences with sensory conditions may also have cognitive conditions (particularly age-related conditions given that the prevalence of sight and hearing conditions increases with age).
- 4.25 Our research provides useful insight on how people with cognitive and neurodevelopmental conditions use access services and their preferences towards them. We hope it can act as a springboard for industry activity to explore preferences further among those with a range of disabilities.
- 4.26 We have maintained our proposed guidance for providers to consider the needs of those with other disabilities beyond those with sight and hearing conditions. We have also added a link from this section of the guidelines to our audience research for more information on the benefits of access services to those with cognitive and neurodevelopmental conditions.
- 4.27 While the regulatory regime only concerns the provision of access services for disabled people, our guidelines can point to the broader benefits of access services to all viewers. We have added that subtitles may also help those learning a new language (as explored in this research article<sup>14</sup> and mentioned by S4C).

## Choice and customisation

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### What we proposed

- 4.28 As the needs and preference of disabled individuals are likely to differ, we proposed that providers should offer customisation options (for example in relation to the size and presentation of subtitles) and choice for viewers (such as providing optional introductions to audio described programmes) where practical, whilst ensuring that the services are easy to use. We recommended the use of default or automatic settings, where accessibility preferences are remembered.

### Stakeholder responses and our research findings

- 4.29 User groups generally supported our recommendations around providing customisation options for access services. RNID pointed to findings from its [Subtitle IT survey](#), for example that 67% of respondents felt it was important to change the size of subtitles on their TV and

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<sup>14</sup> See Patrícia Albergaria Almeida, Patrícia Dinis Costa, Foreign Language Acquisition: The Role of Subtitling, *Procedia - Social and Behavioral Sciences*, Volume 141, 2014, Pages 1234-1238, ISSN 1877-0428, <https://doi.org/10.1016/j.sbspro.2014.05.212>

72% of BSL users felt it was important to be able to change the size of the interpreter on their TV and mobile.

- 4.30 Our research demonstrated the value of customisation to participants, including for subtitling presentation, audio description (sound levels) and signing (size). Many had different preferences towards the presentation of access services and favoured the ability to adjust the access services to fit their individual needs (see section 3.3.3 of our research for more detail). Participants also preferred their choice of access service and customisation options to be remembered by a service or platform.
- 4.31 NADP stated that TV settings can be complex for older audiences and that a simplified, default option should be made available upon which any customisation could be built.
- 4.32 Some respondents highlighted challenges with providing customisation options on specific platforms. Channel 4 stated that the ability to customise accessibility services on broadcast television needs to be explored in conjunction with device manufacturers, as it is out of the hands of providers.
- 4.33 The BBC said it was too early a stage to include object-based media in the Guidelines and raised concerns about systems being able to exchange user preferences on accessibility and customisation that could be used for fingerprinting individuals.
- 4.34 Our research also found that some participants used multiple access services at once (see section 3.2.2. of our research). For example, some BSL users used subtitles and signing at the same time to validate their understanding of the content and some participants with dual sensory loss used AD alongside subtitles.

## Our views

- 4.35 We acknowledge that providers do not always have the option to provide customisation tools, particularly on broadcast television platforms, and that object-based media is not without commercial costs and complexity<sup>15</sup>. However, our Guidelines should be future-looking and encourage developments in technology to help meet key audience outcomes. Whilst these Guidelines are primarily aimed at broadcasters and on-demand providers, we recognise that much of the responsibility for technological development extends to device/software manufacturers and expect to involve them in the working group where relevant (see 4.15 above).
- 4.36 We are mindful of privacy concerns in relation to the collection of users' data on accessibility requirements and customisation preferences. Providers should seek their own advice on this and we have reminded providers that they should be aware of their obligations under data protection law when collecting this data.
- 4.37 In light of our research findings, we have encouraged providers to aim to allow viewers to use multiple access services at the same time on a given programme.

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<sup>15</sup> [Object-based media report \(ofcom.org.uk\)](https://www.ofcom.gov.uk/research-and-data-analysis/reports-and-publications/object-based-media-report/)

## Amount of accessible programmes

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### What we proposed

- 4.38 We proposed to encourage providers to increase access service provision as far as possible, while considering how best to balance their investment between quality and quantity of accessible programming. We considered that including access service files as part of acquiring/ selling content could help increase the availability of accessible content.

### Stakeholder responses and our research findings

- 4.39 Most participants in our research wanted to see greater availability of audio described and signed content across TV and VoD services (see section 3.4.1. of our research). In response to our consultation, BSLBT suggested that our guidance could encourage providers to increase provision of audio described and signed content in particular.
- 4.40 However, several respondents highlighted the challenges of including access service files in content acquisition deals given that these files are often not usable by the acquiring provider in their existing form. Channel 4 said that the reworking needed to such files can approach the work to create access service files from scratch. Both the BBC and BT said that technical formats used for access service files should be agreed at an industry level, with BT stating that our Guidelines should include a recommendation for industry collaboration on standardisation.
- 4.41 In relation to audio description, RNIB noted that acquired tracks may need to be recut to adhere to watershed rules or insert adverts, but that sharing the AD script and timings alongside access services (potentially using a timed text file format similar to those used for subtitle tracks) would reduce the amount of duplicated work. RNIB also said that Ofcom should encourage that access service tracks and scripts used for their creation, should be available on FRAND (Fair, Reasonable and Non-discriminatory) terms.
- 4.42 On signing, BSLBT pointed out that sign languages are different in different countries and so programmes acquired from another country may still need to be translated into BSL. RNIB said that broadcasters have faced barriers to creating sign-interpreted shows due to acquisition agreements not permitting multiple versions of a show being hosted on VoD platforms and suggested that the Guidelines should acknowledge that acquisition agreements should allow for signed versions of content to be created.

### Our views

- 4.43 We note that considerations on additional investment in access services may differ for broadcasters that are already providing subtitles on virtually all of their programming compared to smaller broadcasters that do not yet provide any subtitling. However, we encourage providers to take account of our research findings on participants wanting to see more audio described and signed content.
- 4.44 We think that accessibility considerations should be an integral part of negotiating content deals. However, we agree that acquiring access files is only useful where it will reduce duplication of work and have updated our Guidelines to encourage sharing of files only in these circumstances. We have also acknowledged that providers may need to edit some acquired files to ensure compatibility with their service and meet quality standards.

- 4.45 In line with RNIB's advice, we have also added that including scripts and timings as part of access services files may help to reduce the amount of duplicated work.
- 4.46 We aim to focus our Guidelines on key outcomes rather than giving specific advice on the means by which they should be achieved. So, we do not think it is for our Guidelines to advise on the terms of commercial deals or give advice on standardisation of formats. However, we recognise that diversity of file formats remains a barrier to increasing the amount of accessible content on different services and platforms and intend to enable industry discussions on standardisation.
- 4.47 Even where access service files are not available with content, we think that providers should still consider accessibility needs in negotiating deals, for example by making sure that additional signed versions of programmes can be created for broadcast or VoD platforms. We have updated our Guidelines to reflect this.

## Types of accessible programmes

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### What we proposed

- 4.48 We encouraged providers to consider additional means of improving the accessibility of their programming beyond the provision of the required access services such as making programmes in Makaton and improving dialogue audibility.

### Stakeholder responses and our research findings

- 4.49 Respondents spoke of the user benefits of alternative means of making programmes accessible, including of enhancing dialogue audibility and customising sound levels in programmes (RNID, NADP, individual respondent). The BBC also pointed to their production guidelines which have been successful in improving speech audibility in terms of the style of mixing and general audio quality. However, as outlined above, some providers pointed to the current limitations in technology allowing users to adjust sound levels in programmes. Channel 4 also said that the costs involved in creating such additional audio streams might be a barrier to their wider adoption.
- 4.50 The Makaton Charity said there should be a more extensive range of programmes in Makaton targeted at individuals of all age groups, including older children and adults with complex communication needs. However, both BSLBT and the Makaton Charity said we should clarify that Makaton is a communication programme rather than a language and Channel 4 said that the reference to Makaton might cause confusion over what counts towards the sign-language targets.
- 4.51 Beyond making programmes accessible, NADP and GALMA said that other relevant content should be made accessible, including programme announcements, adverts and trailers between scheduled content.

### Our views

- 4.52 As outlined above, these Guidelines should be forward-looking and encourage developments in technology (for example in customising sound levels) to bring about better outcomes for audiences. However, we recognise that providers need to take a proportionate

approach and do not have unlimited resources. We have added the BBC's best practice guide for sound mixing to our list of external resources (see 4.131).

- 4.53 While we wish to encourage use of Makaton and other sign-systems voluntarily, we consider that BSL should be the default language for meeting the statutory signing targets (see 5.11 of the Guidelines). We have clarified that Makaton is a communication programme using speech, sign and symbols (not to be confused with BSL). We have also clarified that it is for people of all ages with learning and communication difficulties, to encourage providers to consider offering Makaton across a more extensive range of programmes.
- 4.54 The broadcast accessibility quotas apply to all TV content excluding advertising (and any other content that has been exempted)<sup>16</sup>. However, we aim to encourage providers to consider the entire user experience of accessing and watching content. So, we have added adverts as further examples of broader considerations for improving the accessibility of TV. We know that ISBA (the Incorporated Society of British Advertisers), charities such as RNIB and RNID and some broadcasters have already been working with the advertising industry to support the accessibility of TV adverts (we have linked from our Guidelines to ISBA's [accessible advertising](#) guide)

## New technologies

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### What we proposed

- 4.55 We said that we are open to the use of different technologies to make access services, but that providers should ensure that the adoption of new technologies enhances the quality of access services, rather than detracting from it.

### Stakeholder responses and our research findings

- 4.56 We asked respondents how the development of new technologies may affect the production of access services in the coming years. Many respondents pointed to the benefits and opportunities offered by the development of new technologies (for example in potentially reducing latency in live subtitled programming or in expanding volumes of accessible content), although most recognised that there is still an important role for human input and quality control across all three access services. Some (BSLBT, Red Bee Media, NADP, individual respondent) also pointed to the importance of close collaboration with relevant user groups as technology develops. For more detail on stakeholder views on developments in technologies, see our [published responses](#).
- 4.57 We also explored use of new technologies in our audience research, for example participants views on the use of synthetic voices for audio description (see section 3.4.4. of our research for more detail).
- 4.58 In relation to our proposed guidance that new technologies should 'enhance the quality of access services' ITV said that some new technology adoption may not be directly linked to quality and that a need to 'enhance' quality could restrict innovation. The BBC said that Ofcom should provide greater clarity regarding the expectations of quality, and the

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<sup>16</sup> Section 405 of the [Communications Act](#) provides that 'programme' includes an advertisement and, in relation to a service, anything included in that service. Section 303(13) excludes advertisements from the meaning of programme for the purpose of that section.

suitability of different technological solutions (for example, respeaking and pure ASR<sup>17</sup> for subtitling) in different circumstances, including live versus pre-recorded settings.

## Our views

- 4.59 We agree with ITV that new technologies should not always be expected to ‘enhance’ quality; while some new technologies may improve aspects of quality, others may offer similar levels of quality but provide efficiencies that allow for increased volumes of accessible content. Therefore, we have amended our Guidelines to state that providers should ensure that the adoption of new technologies does not result in lower quality access services. We also continue to remind broadcasters that access services need to be high quality to contribute towards the statutory targets.
- 4.60 As outlined above, we intend to explore developments in technology and potential impacts on quality as part of the proposed working group. In keeping with our desire to focus on outcomes rather than means of achieving them, we do not think it appropriate to specify use of specific technologies in particular circumstances. However, we have used the guidelines to remind providers that different programme types may warrant different approaches, for example prioritising accuracy over latency in the provision of important information (see 5.26).
- 4.61 Our guidelines already encourage providers to regularly consult their audiences and/ or groups representing disabled people to inform their provision. This should include consultation on the use of different and/ or new technologies, particularly where there is an impact on quality or presentation of access services.

## Programme selection and scheduling

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### What we proposed

- 4.62 We proposed to add to our previous Guidelines on programme selection and scheduling that providers should prioritise making occasions of national importance accessible with subtitling, signing and spoken descriptions.
- 4.63 We proposed to add that providers should make every effort to add access services to on-demand programming as soon as it is made available.
- 4.64 We also proposed that when a programme series begins with access services, providers should make every effort to ensure that all programmes in the given series are made accessible.

### Stakeholder responses and our research findings

- 4.65 Several respondents (both providers and user groups) wanted Ofcom to provide more clarity on what is meant by ‘moments of national importance’. RNIB and RNID gave examples of the types of events they considered should qualify, which included consequential Government announcements, major sporting events (including the events listed in Ofcom’s Code on Sport), large-scale cultural events, events that trigger an additional bank holiday and

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<sup>17</sup> ASR (automatic speech recognition) is the use of Machine Learning or Artificial Intelligence technology to process human speech into a written format.

televised live events. Channel 4 suggested that ‘moments of national importance’ could be expanded to moments or events that are of major brand importance to the provider, which could encourage providers to seek to make each arm of their programming accessible, ensuring that any definition is representative of the genre interests of different age groups and diverse audiences. S4C said that ‘moments’ of national importance might hold more importance to some broadcasters’ audiences than others.

- 4.66 Some providers pointed to limitations in their capability to add audio description and/ or signing into live televised events and said they take account of what is being provided by other major broadcasters when prioritising provision.
- 4.67 User groups (RNIB and RNID) welcomed the recommendation for providers to make every effort to make TV content accessible as soon as it is available on VoD services. Participants in our research who used audio description mentioned frustration with certain broadcasters delivering audio description late on programmes uploaded to their catch-up service (see section 3.4.1. of our research). Some highlighted that when whole series have been made available online, audio description has often only been added after an episode has been broadcast on TV.
- 4.68 RNID said that BSL users should be able to access the signed version on-demand at the same time as the non-signed version is uploaded, rather than waiting for the signed version to be available on broadcast TV (which can be later). The BBC agreed broadcasters should use their best endeavours to achieve this but noted that there can be significant cost and logistical implications. RNID also said that regulated on-demand services should be encouraged to keep signed content on their service for as long as possible.
- 4.69 In terms of programme selection more broadly, RNID said it should be a priority to sign shows which have deaf characters. They said that representation on mainstream TV is meaningful for members of the Deaf community but often the shows are not available with BSL interpretation.
- 4.70 An individual respondent considered that all programmes in a series should be audio described rather than only the newest series of a programme.

## Our views

- 4.71 We encourage providers to take account of the examples of ‘moments of national importance’ provided by RNIB and RNID. However, we also recognise that providers need to take a proportionate approach, taking account of the likely benefit to their given audience and available resources/ technical capability. What is considered of national importance may evolve over time and expectations may vary by service. So, while we do not think it appropriate to specify examples of ‘moments of national importance’ in the Guidelines, we can discuss this further in the working group (see 2.9).
- 4.72 We also do not intend to expand the definition of ‘moments of national importance’ to specify events of major ‘brand’ importance, which might imply content which is of longer-term importance to providers (rather than audiences). However, we do agree that providers should consider prioritising those aspects of their channel’s output that are of most importance to their audiences. So, we have amended the recommendations in this section to state that providers should seek advice from disability groups/experts and take account of audience preferences in prioritising programming (along with taking account of the other considerations set out in our Guidelines).

- 4.73 We agree that audiences should be able to watch signed content on-demand as soon as the original version is uploaded for on-demand viewing, particularly as signed content is often broadcast in the early hours of the morning. We have clarified that for signed programming, providers should ensure a signed version of an on-demand programme is made available at the same time as a non-signed programme. The amount of time that signed content remains on a service is a matter which we expect to consider further as part of our consultation on the Code to implement the VoD accessibility regulations, including the new proposed signing target (see Background section).
- 4.74 We agree with RNID that programming which includes d/Deaf characters should be made accessible with signing where possible and consider that this principle is also relevant more broadly to help ensure that people with access needs can see themselves represented on-screen (for example, a programme including actors with sight loss or who are blind should be a priority for adding audio description). So, we have added to the considerations on prioritising programming that providers should make every effort to provide access services for programmes which include actors/ participants with accessibility requirements.
- 4.75 We recognise the frustration when levels of access services vary across series of content, while acknowledging the potential costs to providers in retrospectively offering access services on very large programme series (for example soaps). In any case, our guidelines recommend that all programmes that are part of a series should be made accessible and we have clarified that this applies regardless of whether they appear on broadcast and/ or VOD services.

## National emergencies

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### What we proposed

- 4.76 We proposed to expand our guidance that broadcast information about national and local emergencies should be subtitled to state that this information should also be signed and spoken. We said that subtitles detailing important information such as links and telephone numbers should be on screen long enough for audiences to write the details down.

### Stakeholder responses and our research findings

- 4.77 While user groups and providers supported the proposed guidance on ensuring that broadcast information about national emergencies is made accessible, some providers raised concerns about the practicalities of achieving this, for example due to not having permanent capability to provide live BSL translation or audio description and sought more flexibility in the Guidelines.
- 4.78 Channel 4 said that it may be better that emergency announcements are made accessible to blind people and those with sight loss via the information included in the announcement, rather than providing audio description (as there may not be sufficient space in the soundtrack to add AD or it might be impractical to produce an AD file on time depending on the nature of the emergency).
- 4.79 RNID said the guidance should make clear that signing should be provided in BSL and that subtitles need to be of the highest possible standard to ensure that information is accurate and there is no confusion.

- 4.80 NADP suggested the guidelines go further, by recommending that important links or telephone numbers are shown clearly on the screen, rather than just as subtitles, which could disappear before the viewer writes the information down.

## Our view

- 4.81 We remain of the view that making information about national emergencies accessible should be a key priority. By ‘spoken’, we mean that key visual information should be explained, whether that be integrating relevant information into the programme announcement or providing a separate AD track. By ‘signing’ we mean sign-language (with BSL being the default language) – we have added a footnote to the first use of ‘signing’ in the Guidelines to clarify its definition.
- 4.82 We also remind broadcasters that, as set out in the TV access services Code, they must make accessible any emergency announcement which Ofcom has directed them to make at the request of Government. This requirement is set out in legislation (see 3.2-3.4). We agree that ensuring the accuracy of subtitles may be particularly important for emergency announcements (along with other programmes where particularly important information is being relayed to audiences). There is often a trade-off between ensuring the accuracy and minimising the latency in live subtitled programming, and so we have added a line to the subtitling section to state that it may be appropriate to prioritise subtitling accuracy for certain programming, where particularly important information is being relayed to audiences (such as emergency announcements or news). This is also the case for the subtitling of relevant numbers or links. Whilst providers may wish to also include this information on the screen as a graphic, we have already recommended that the subtitles remain on screen for long enough for the information to be written down, and therefore consider this to be sufficient.

## Promoting awareness of availability of access services

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### What we proposed

- 4.83 We proposed that providers should ensure that their audiences are aware of access services both as a general feature and in relation to the availability on specific services, platforms and programmes. We said they should promote awareness through a range of means such as on-air announcements and information online. We removed the prescriptive requirement from the Guidelines that subtitled programmes should be labelled with ‘subtitles’ on-screen at the start of the programme.
- 4.84 We provided guidance on communicating with audiences when something goes wrong with access services provision, emphasising the need to communicate with relevant audiences via a range of effective means.
- 4.85 We proposed that providers should make information available (before the point of sale) about the extent to which their services are accessible on different platforms and devices.

### Stakeholder responses and our research findings

- 4.86 Respondents were generally in agreement with our proposals for providers to promote awareness of access service availability to their audiences. However, some (S4C, NADP, RNID) disagreed with our proposal to remove the recommendation for providers to display

the word ‘subtitles’ at the start of a subtitled programme and RNID highlighted that it may still be useful to some older audiences to have the word ‘subtitles’ if they are used to using it. Similarly, one individual respondent stated that when introducing a programme, the announcer should verbally announce whether AD is available.

- 4.87 NADP acknowledged that whilst this information is available on the EPG, there have been cases where the EPG has reported this incorrectly. They also referred to a survey (DTV4All) which found that more people said they waited until the programme started to find out if it had subtitles, than referred to the TV Guide.
- 4.88 One individual respondent stated that providers should advertise when an accessible version of a programme will be made available on their VoD platforms. RNID also said that where mainstream versions of shows are available at peak times and a signed version is broadcast later, outside of peak viewing hours, broadcasters should be advised to signpost viewers to the signed version or to the signed content uploaded to VoD.
- 4.89 Respondents agreed with our recommendation around alerting audiences in the case of a disruption, in a way that is accessible to them (CCP-ACOD, Channel 4, NADP, RNID). Some respondents (BSLBT, RNID) specified that relevant information should also be in BSL and in plain English (RNID).
- 4.90 Respondents supported the proposed addition for paid services to include information about the availability of access services before people make their purchase. RNID referenced their [Subtitle IT](#) report which found that 90% of people surveyed felt that paid subscription on-demand services should have to tell audiences how many of their programmes have subtitles before you pay, to allow them to make informed decisions.

## Our view

- 4.91 Our guidance already proposed that providers promote awareness of access services through periodic on-air announcements. In light of feedback from respondents, we have replaced this with ‘on-air announcements and on-screen text’. This could for example include displaying the word ‘subtitles’ at the start of a programme to indicate the presence of subtitles, or a verbal announcement that AD is available on that programme. Whilst some providers may wish to indicate to audiences in this way, we do not think it appropriate to be prescriptive in this recommendation as the information is already indicated on VoD platforms and through the EPG<sup>18</sup>, allowing audiences to find out in advance of engaging with the programme whether it is accessible.
- 4.92 We agree that it would benefit audiences for providers to promote awareness of any alternative accessible versions of a programme, to ensure that they do not miss out if they are broadcast at another time or uploaded to their on-demand platform. We have amended our Guidelines to encourage providers to inform audiences if an accessible version is broadcast at a different date/ time, or uploaded to a VoD service.
- 4.93 It is crucial that all audiences are able to access information about the availability of access services and information related to a disruption in provision. In order to reach Deaf audiences, it is important that providers also consider providing communication in BSL

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<sup>18</sup> The Code requires broadcasters to make accurate and timely information about access services available to EPG operators listing their services. The EPG [Code](#) requires EPG providers to ensure that this information is included in listings.

(particularly when the information is of particular relevance to Deaf audiences for example if a signing service is disrupted). We have revised our Guidelines to recommend that providers consider the affected audience group and tailor communications accordingly, for example by including communications in sign-language or plain English. See also related changes to the Code requirements on promoting awareness, discussed at 3.14-3.16.

## Usability/ Navigating to accessible content

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### What we proposed

- 4.94 We provided new recommendations for VoD providers, encouraging them to consider features such as filtering and content categories which make accessible programmes easy to find. We proposed that access services should be easy to turn on/off by using symbols or where appropriate, audible signals.

### Stakeholder responses and our research findings

- 4.95 Respondents supported our recommendations around making content easy to find, for example via filters or content categories. BT also highlighted the importance of users understanding how to set up accessibility services and use navigational tools.
- 4.96 Participants in our research stated that they found navigational tools (such as content categories and filtering options) and customisation tools helpful, and wanted to see them consistently available across VoD services (see section 3.2.2. of our research). Many however were unaware of these features and felt that providers should do more to promote them. They suggested that providers offer tutorials (and video tutorials) or guidance on where to find and how to use navigational tools as well as regular communications by email to subscribers to alert them to both features and the guidance.
- 4.97 In addition, participants wanted providers to use recognisable and prominent symbols to indicate the availability of access services on-demand, stating that the same symbols should be used across platforms.

### Our view

- 4.98 Our research highlighted that the provision of access services and tools to find accessible content is not sufficient if audiences do not know how to use or find them. We have updated our guidance to encourage providers to support understanding of how to find accessible programmes through navigational tools (such as filtering) and identifying symbols, as well as how to use available customisation features. Guidance on how to use accessibility features needs to be easy to find, and accessible, taking into account the full range of disabled audiences.
- 4.99 Furthermore, and to ensure that the symbols used are recognised by users, we have added that providers should use clearly visible 'well-recognised' symbols. As outlined above, we expect to consider further the issue of consistency in how access services are indicated on on-demand services as part of our consultation on a new on-demand accessibility code (see Ofcom's [Media Bill implementation roadmap](#)).
- 4.100 We want to encourage providers to think of innovative ways to reach disabled audiences and promote awareness of tools to find and customise accessible content. In light of our

research, we've added to our list of different means of communication to include promotional videos, online video tutorials and information in emails to subscribers/ users.

- 4.101 Although consistency in presentation of user interfaces is beyond the scope of these Guidelines, we continue to support other means of addressing these issues. We have linked to the Digital Television Group's (DTG) Usability and [Accessibility guidelines](#) in the list of external sources (see 4.136) and, as outlined above, the [Media Bill](#) introduces new requirements on certain platform providers. As explained above, we also intend to use our working group to discuss potential standardisation in navigating to access services.

## Accessibility and Diversity in Production

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### What we proposed

- 4.102 We proposed that providers and content makers should consider accessibility issues early on in the commissioning and production process – such as ensuring on-screen text on the programmes is clearly visible. We also encouraged greater collaboration between accessibility experts and content production teams.
- 4.103 We recommended that teams involved in making accessible programming should reflect the diversity of their audiences to fully understand and effectively meet their needs and preferences.

### Stakeholder responses and our research findings

- 4.104 Respondents in general agreed with our recommendation for accessibility issues to be considered early on in the production process. GALMA highlighted that access coordinators can be an important addition to supervise all accessibility matters throughout productions. Whilst Paramount Global agreed with the principle, they noted that in practice it is not always possible to identify if a programme will be suitable for AD until after it has been made.
- 4.105 Participants in our research thought it would be easier to get the level of detail right in AD if it was considered as an integral part of the production process from the beginning, so that audio describers would have a better understanding of the programme's plot and artistic choices (see section 3.4.4. of our research).
- 4.106 Channel 4 supported the recommendation for greater collaboration between the production teams and accessibility experts but suggested that this collaboration should also take place in scheduling decisions around AD and sign-interpreted programmes, particularly where the programmes may have specific relevance to the audiences those services are aimed at. BSLBT also agreed with our proposals, noting that whilst collaboration with access specialists is important, the production teams should contain people with disabilities (for example signing producers, directors, presenters). GALMA asked that our guidelines go further by recommending that disabled people be trained for access roles.
- 4.107 Respondents generally supported our diversity proposal (Channel 4, RNIB, RNID, an individual respondent). ITV on the other hand disagreed, on the grounds that diversity of teams involved in making accessible programming does not appear to be directly linked to improved accessible outcomes for audiences.

- 4.108 The BBC suggested that Ofcom publish industry-wide production requirements around accessible media production, aimed at producers rather than broadcasters and VoD providers. Channel 4 said that separate industry-wide resources for commissioners and production companies could provide guidance on ensuring programmes are designed with an inclusive design mindset and suggest Ofcom consult with the TV Access Project, an alliance of ten broadcasters and streamers working towards better disability inclusion behind the camera.

## Our view

- 4.109 We understand that some choices on accessibility may need to be made after the creation of the content itself, but as far as possible, we want to urge providers to consider accessibility issues and the needs of disabled audiences from the outset to alleviate these issues later on. For instance, by incorporating the audio descriptive elements into the programme if it is less suited to traditional AD (see 4.6-4.7 of the Guidelines).
- 4.110 We agree that providers should think about accessibility issues when making decisions around scheduling programmes. We consider that this is already covered by our recommendation that providers should seek advice from disability groups about how best to maximise the benefits to disabled people when selecting and scheduling accessible programmes (see 2.17 of the Guidelines).
- 4.111 We acknowledge that accessibility needs to be considered beyond those making the content itself, for example by commissioning teams, or teams involved in designing the platform interface. So, we have revised our guidance on diversity to include teams involved 'at all stages in making and distributing' programming.
- 4.112 We agree that disabled people should be trained for TV roles including, but not limited to access services roles, and we consider that this is reflected in our recommendation for teams to reflect their audiences. We also promote the employment of disabled people in the workforces of the TV industry through [our EDI work](#).
- 4.113 We disagree with ITV's comments that accessible outcomes are not related to having diverse teams making the programmes. We consider that teams containing people with lived experiences of disabilities can better understand the needs and preferences of audiences who use access services. This is consistent with our general approach to diversity in broadcasting, where we believe that the inclusion of people from all backgrounds, at all stages of programme making, is crucial for connecting with audiences.
- 4.114 Whilst these Guidelines contain recommendations that can be applicable to producers as well as providers, we do not have a direct regulatory relationship with producers in this regard and therefore are not in a position to provide detailed guidance on production requirements. However, we are actively looking at ways as how best to further collaborate and share best practice with commissioners and production companies via either our accessibility working group and/or our existing engagement with the TV Access Project through our broader work on [diversity in broadcasting](#).

## Monitoring Quality and Training

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### What we proposed

- 4.115 We proposed to expand our Guidelines to encourage providers to consider using quantitative tools (in addition to viewer feedback) to help assess the quality of their access services. We also proposed to encourage providers to track progress against the goals included in their accessibility action plans (see 2.4).
- 4.116 We removed from our previous Guidelines the recommendation that ‘broadcasters should ensure subtitles for pre-recorded programmes are reviewed for accuracy before transmission’ on the basis that a full pre-transmission review is just one of a number of ways to ensure quality in practice.
- 4.117 We also proposed that people making access services (including subtitles, AD and signing) should be appropriately trained.

### Stakeholder responses and our research findings

- 4.118 Respondents (including RNID, CCP-ACOD, GALMA, NADP, Channel 4) generally supported our proposed additions to the Guidelines on monitoring quality. RNID said they hoped providers would share the results of quality monitoring to be held accountable. A couple of respondents (GALMA and BSLBT) asked for more detail on whether/ how providers would be incentivised to report on progress against their accessibility action plans.
- 4.119 BSLBT said there is currently no official quantitative model to assess sign-interpreted programmes but that there should be a robust model to avoid politically incorrect signs, mistranslations and so forth.
- 4.120 The BBC stated that the guidance for the need for pre-transmission reviews for accuracy should not have been removed, because post-transmission quality monitoring is likely to only consist of spot checks and is not an adequate substitute. They said that pre-transmission review is particularly important given the increased use of Automatic Speech Recognition (ASR), which is associated with reduced accuracy. They took the view however that post-transmission monitoring is useful for live subtitles.
- 4.121 While user groups generally supported our proposal on training, RNID asked for further detail on what we would consider to be ‘appropriate’. In contrast, NADP said it is ultimately up to the provider to ensure that people are skilled to meet standards and that it is more important that quality measures are set and met consistently.

### Our view

- 4.122 We intend to discuss approaches to monitoring quality, including use of quantitative models, in the working group. We will keep our approach to tracking progress across industry under review, taking account of proposed requirements in the Media Bill (see 2.2).
- 4.123 We think that quality assurance of access services should be given the same priority as that of the editorial content (including sound and pictures). While we decided to remove the recommendation that subtitles should be reviewed for accuracy pre-transmission, we have instead added more general recommendations that providers should ensure that processes are in place to review access service quality for pre-recorded content pre-transmission along with reviews after transmission. This can apply to all access services and provides flexibility

to content providers to account for programmes in different contexts (for example, live, pre-recorded) without providing overly directive advice.

- 4.124 In line with our approach to focus on key audience outcomes, we do not intend to impose a specific training model or offer overly prescriptive guidance on how providers should train their staff involved in creating access services. Instead, we consider that providers should ensure their training enables them to meet the quality standards outlined in our Guidelines.

## Seeking feedback

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### What we proposed

- 4.125 We proposed that feedback/ complaints routes should be accessible at all points in the process, from providing a variety of complaints routes to responding in plain language.
- 4.126 We also recommended that providers seek feedback proactively, rather than relying only on complaints, for example through consulting with disability charities and setting up audience feedback sessions.

### Stakeholder responses and our research findings

- 4.127 Respondents agreed with our proposals, with the BBC stating that this should be supported by user-testing to ensure that audiences find complaints routes accessible in practice. NADP recommended testing new styles of subtitle presentation with d/Deaf people and those with hearing loss.
- 4.128 RNID and BSLBT highlighted the importance of complaints routes being accessible to BSL users, recommending that providers are actively engaging with BSL users, for example through user interviews and focus groups with BSL interpreters.

### Our view

- 4.129 We agree that user testing is an important and useful way of seeking audience feedback on any changes and ensuring their accessibility prior to implementation. We have added an encouragement to providers to test features with disabled audiences, such as font types and user interfaces.
- 4.130 We urge providers to consider the needs of BSL users when ensuring accessibility of complaints/feedback routes and soliciting feedback, as some Deaf individuals may prefer communicating in BSL. We have updated our Guidelines to emphasise the importance of translating complaints routes into sign language and ensuring accessibility when seeking feedback from disabled audiences, such as by providing sign-language interpreters.

## External sources/ guidelines

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### What we proposed

- 4.131 We proposed to include a list of external sources/ guidelines on our website, containing guidelines and examples of innovation and good practice for accessibility.
- 4.132 We included an initial list in our consultation, asking respondents to comment on our sources and suggest any additions.

## Stakeholder responses and our research findings

- 4.133 Respondents agreed that a list of external resources would be useful, and asked for reassurance that it would be maintained and updated regularly to reflect that broadcasters are continually developing their access services as audience expectations and technology develops (BBC and NADP).
- 4.134 There were a few recommendations for resources to be added, including the Creative Diversity Network (BLSBT); The Toolkit for Inclusion & Accessibility by FWD-DOC, 'Demistifying Access' toolkit, and 'Accessibility as a conversation' (GALMA); ITU and ISO standards (NADP) and RNID's Subtitle It report. Mencap also attached their Make It Clear Guide to their response – this guide is aimed at supporting the production of accessible communications for people with learning disabilities.

### Our view

- 4.135 We have included a list of external resources on a new page on our website. This will be updated regularly as we continue to engage with providers and other accessibility stakeholders (see the new webpage).
- 4.136 We have included some of the resources mentioned in response to our consultation, and others that we have become aware of since, in our updated list.

## Other considerations

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### What we proposed

- 4.137 In our previous Guidelines, we did not provide any guidance for the use of assistive technology, such as braille displays and screen readers.

## Stakeholder responses and our research findings

- 4.138 The BBC highlighted the importance of content and access services being accessible to those using assistive technology, such as Braille displays. They noted that subtitles are only exposed to assistive technology when they are provided as timed text, rather than burnt into the video image.
- 4.139 They also said that our guidance that on-screen text should be read-out (see 4.6-4.7 of the Guidelines), should be accompanied by a recommendation for this text to be subtitled, allowing assistive technology to pick up the text.
- 4.140 The BBC also said that where possible, the timed text script of the audio description should be made available to the client player to allow the viewer to choose an alternative way to consume it, for example by sending it to their Braille display instead of hearing it.

### Our view

- 4.141 We agree that providers should aim to make their programmes accessible to audiences who may be using assistive technologies such as screen readers and braille displays, including those who are deafblind. We have added that providers should consider how to make their programmes and user interfaces compatible with assistive technologies and have included

the examples outlined above. We acknowledge that this list is not exhaustive and encourage providers to take any other appropriate measures.

# 5. Subtitling

## Summary – Changes to the Subtitling guidance

- recommend that subtitles should generally be synchronised with the audio \*but that some paraphrasing may be appropriate when the dialogue is very fast
- recommend average delay (4.5 seconds) in live subtitling to incentivise progress
- recommend that subtitles should be easy to read, clearly visible against the background and clearly identifying non-speech information, \*supported by examples of how to achieve this (e.g. accessible fonts and symbols for music)
- recommend that subtitles should be in the language used and preferred by the programme's intended audience for its spoken language. We've said that will usually be the same language as the main spoken language \* where it is used by the intended audience, unless consultation with disabled users suggests a preference for a different language (for example with some spoken Welsh programmes where English subtitles may be preferred)

An asterisk (\*) symbol indicates some of the main changes we have made following consultation.

## Subtitling Accuracy, Synchronisation and Speeds

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### What we proposed

- 5.1 We said that providers should aim to ensure that subtitles are as accurate as possible so that viewers do not have their understanding or enjoyment of a programme affected by inaccuracies.
- 5.2 We proposed to replace the reference to specific subtitling speeds with the principle that subtitling should generally be synchronised with the audio as closely as possible.
- 5.3 We acknowledged that this might not be appropriate in all circumstances and said that providers should bear in mind the genre of the programme and the intended and/or likely audience(s) for their programmes, including those with lower reading speeds.
- 5.4 We also proposed to remove some of the more specific guidance from the previous Guidelines which we considered were covered by the general principle of making subtitles synchronous with the speech, for example that subtitles should not overrun shot changes and subtitle appearance and disappearance should coincide with the beginning and end of speech respectively.

### Stakeholder responses and our research findings

- 5.5 Participants in our research highlighted the importance of subtitles being accurate, noting that spelling mistakes, grammatical errors, lack of punctuation and other inaccuracies in subtitles not only caused frustration, but in some cases, acted as a barrier to comprehension (see section 3.3.2. of our research for more detail).
- 5.6 Several providers, NADP, individual respondents and our research participants supported the idea that paraphrased subtitles are generally less preferable than verbatim subtitles

which are synchronised with the audio. NADP felt that heavily edited subtitling does not provide equitable access to content. Research participants said that paraphrased subtitles did not allow them to sufficiently validate their understanding of the content (see section 3.3.3. of our research). This was especially true for participants who co-depended on lip reading while watching content, as well as those with audio processing disorders. NADP also said that synchronised subtitles enable people with some hearing to move more freely between lip-reading and sound. The BBC said their own research showed that departing from verbatim subtitling is disruptive for the viewing experience (and said that research based on translation subtitles should not be applied to hard of hearing subtitles as there are key conceptual differences).

- 5.7 Some of our research participants across cohorts noted that poor synchronisation could result in them being taken out of an immersive experience in a drama or film or having a punchline delivered prematurely (see section 3.3.2. of our research).
- 5.8 While most research participants preferred verbatim subtitles, there was also an acceptance that paraphrased subtitles may in some cases be justified for programmes with very fast-paced dialogue and action (see section 3.3.3. of our research). Similarly, RNID supported the principle that subtitles should match the speech within reason, but that this should not be at the expense of readability and that there will be some contexts where synchronicity may have to be compromised to ensure that people can read the subtitles. GALMA said that the present recommendation for subtitles to match the speed of the speech, without a maximum subtitling rate, will result in inaccessible subtitles. They recommended a maximum subtitling speed of 200 words per minute (wpm) or over and a minimum subtitle display time of 1 second, which they said is based on research findings in a significant number of studies. They pointed to research<sup>19</sup> which found that viewers start skipping words when exposed to fast subtitling speeds (over 20cps), and they said that people can comprehend spoken dialogue at faster speeds than they can read subtitles while also looking at images and potentially lip-reading.
- 5.9 Sky also supported a 1 second minimum display time (rather than word or character limits) to ensure enough time for verbatim subtitles to be easily read.
- 5.10 Subtitling speed did present challenges for some of our research participants, primarily those with cognitive or learning disabilities, dyslexia, dual-sensory loss, as well as some BSL users (some of whom had lower fluency in English). Some expressed a preference for slower subtitles with fewer words and easier language (see section 3.3.3. of our research). BSLBT stated that they wanted further clarity on how a broadcaster might accommodate people with slower reading speeds without compromising the ‘subtitles should be verbatim’ recommendation. The BBC said that VoD services can provide variable speed playback options, making it possible to slow content down for those who need it.
- 5.11 The BBC felt that guidance on subtitles not over-running shot changes should be retained as it remains important to viewers and is an additional consideration to synchronisation with speech.

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<sup>19</sup> [Kruger, J., Wisniewska, N., & Liao, S. \(2022\). Why subtitle speed matters: Evidence from word skipping and rereading. \*Applied Psycholinguistics\*, 43\(1\), 211-236. doi:10.1017/S0142716421000503](#)

## Our view

- 5.12 We continue to believe that in general, verbatim subtitles synchronised with the audio offer the most equitable access to content, and their use for many viewers is supported by our research. However, we agree that this should not preclude light editing where dialogue speeds are very high, and comprehension is paramount. Therefore, we have added that subtitles should also be readable and that some paraphrasing may be appropriate in limited circumstances for example, for programme genres when the dialogue is very fast.
- 5.13 The point at which subtitles may be too fast to be meaningful for viewers is a contentious area. While GALMA supports a maximum subtitling rate and minimum display time for access services, we know that some research reaches different conclusions (for example, BBC research). We also understand that the appropriate speed for subtitles may vary depending on the nature of the programme (for example, the amount of on-screen activity and nature of the dialogue) and that subtitlers need to make nuanced, professional judgements. Therefore, we have decided not to provide specific figures in the Guidelines but focus instead on the principle that subtitles should be readable at fast speeds as outlined above. However, to aid providers in making decisions in this area, we have added relevant research on subtitling speeds to the list of external resources.
- 5.14 In light of our research findings on synchronicity, we have added that subtitles should not appear too soon before important information is relayed in audio and that this is particularly important for punchline delivery, for example, in comedy programmes or game/ quiz shows.
- 5.15 We agree with the BBC that avoiding over-running shot changes can be an additional consideration to synchronisation. However, we note that over-running shot changes may be necessary in some circumstances, for example where the dialogue overruns the shot. We have therefore added that subtitles should remain on-screen long enough to be read, but not hang on-screen for so long that they are distracting or overrun shot changes, where avoidable.
- 5.16 As evidenced in our research, faster subtitles may be more problematic for some people, for example those with cognitive conditions or BSL users with lower fluency in English. We already encourage providers to consider the target audience for their programmes, for example, edited, slower subtitles (and/ or dialogue) might be appropriate for programmes exclusively aimed at people likely to have slower reading speeds. Customisation options, also something we recommend, may also help providers to meet different needs. In line with the BBC's advice, we have also added an encouragement to VOD providers to consider offering play-back speed customisation where possible to allow audiences to slow down the pace of the programme and subtitles.

## Live Programmes

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### What we proposed

- 5.17 We recommended that live subtitles should have an average delay of no more than 4.5 seconds while at the same time recognising that this may be more challenging on certain types of programmes, such as fast-paced chat shows or sports programmes. This was a change from the previous Guidelines which recommended live subtitles should have a maximum delay of 3 seconds.

- 5.18 We provided some recommendations for broadcasters to reduce delays and inaccuracies as far as possible, including on obtaining scripted material and preparing special vocabulary.

## Stakeholder responses and our research findings

- 5.19 Generally, our research participants had lower expectations when it came to the quality and accuracy of live subtitles and their synchronisation with the audio when compared to subtitles on pre-recorded programmes. However, they expressed frustration over delays, spelling inaccuracies and difficulties in following the scrolling text. Some avoided using subtitles when watching live programmes such as the news and live sports and others avoided watching live programmes altogether due to the prevalence of these issues and only watched pre-recorded content instead (see sections 3.3.1. and 3.3.2. of our research).
- 5.20 There were mixed views on our proposed recommendation that live subtitles should have an average delay of no more than 4.5 seconds. While some respondents supported this change (including GALMA, Channel 4 and Paramount Global), others disagreed. Sky said that, depending on the genre, latency between 4.5-6.5 is more realistic, and one individual respondent stated a preference for a maximum threshold rather than a target average. NADP said that latency should be no more than three seconds and referred to research by the University of Roehampton, which identified latency as the highest priority for participants who were deaf or had hearing loss when it comes to live subtitling on television<sup>20</sup>. NADP said that there are a number of factors that can improve the latency of live programming, but that conversely, the increased use of respawning, rather than speech-to-text reporters (STTRs), has increased latency. RNID pointed out that the trade-offs between accuracy and latency may reduce as technology improves.
- 5.21 NADP said that subtitling quality and accuracy can reduce at faster speeds in live programming and recommended the use of STTRs for broadcasts which include faster speech, such as live chat shows or news items. RNID said that accuracy may be more important than latency in some genres of programmes (for example, news or Government announcement broadcasts which share important information with the public).
- 5.22 GALMA said that we should consider recommending a minimum accuracy rate of 98% for live subtitles using the NER model, which they said is consistent with user-informed research findings and with [current practices](#) and [legislation](#) in Europe, Australia and North America.
- 5.23 Participants in our research told us that it can be distracting when subtitles on live TV appear on screen as scrolling subtitles rather than as a block of text and are corrected live on air (see section 3.3.2. of our research). In addition, the BBC pointed out that sometimes live subtitles can appear ‘bursty’, whereby software systems race through words much more quickly than they were in the original audio so as to catch up. This practice can make subtitles more difficult to follow. The BBC said that our recommendation in the previous Guidelines that live subtitles should flow smoothly should be retained.
- 5.24 ITV said that we should amend the guidance from ‘block subtitles should also be used in live subtitling where possible’ to ‘prepared block subtitles should also be used in live subtitling where possible where this does not increase subtitle latency’. Sky also said that using block subtitles on live content would increase the latency.

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<sup>20</sup> [Moore, Z. 2022. Training professional respeakers to subtitle live events in the UK: A participative model for access and inclusion \(p.195-197\)](#)

## Our view

- 5.25 We acknowledge that the quality of live subtitling is an area of particular concern for viewers, to the extent that some participants in our research say they are avoiding watching live subtitled programmes altogether (see section 3.3.2. of our research). While we agree that there are means of improving latency on TV, our recommended average needs to be realistically achievable if it is to incentivise improvement across industry. As explained in our consultation (see page 24 of the [consultation](#)), we consider that an average (mean) latency of 4.5 seconds across live programming is in line with the best achieved latencies for some individual broadcasters. However, we will keep this target level under review as technology develops to ensure it continues to incentivise progress.
- 5.26 We agree with RNID that it may be helpful to prioritise accuracy over latency where particularly important information is being conveyed. We also note that the impact of latency on viewers might vary depending on the type of programme (for example, delayed subtitles might be harder to follow on a live chat/ debate shows or sports commentary with multiple people sometimes talking over each other). Therefore, we have added that it may be appropriate to prioritise accuracy on certain programming such as emergency announcements or news.
- 5.27 We think that providers should consider which subtitling method is most appropriate for given programme types (including those with fast dialogue) to ensure sufficient quality for viewers. While we have refrained from recommending the use of particular technologies for different types of live programmes in line with our general approach (see above), we have added that different subtitling methods (for example, respeaking, STTR etc) may be better suited to different programme types, depending on dialogue speeds and the impact of the method on accuracy and latency.
- 5.28 In line with the BBC's point about live subtitles appearing in 'bursts', we have retained the sentence from the previous Guidelines recommending that subtitles should flow as smoothly as possible in live programmes. We want to clarify that our recommendation is for broadcasters to use pre-prepared block subtitles on live subtitled programmes where possible, rather than creating block subtitles during programmes which may increase latency.
- 5.29 We intend to discuss means of improving quality of live subtitling (including the use of different technologies and measures to reduce latency) as part of the working group. We do not currently have sufficient evidence on achievable and measurable accuracy levels for UK broadcasters to recommend a specific minimum accuracy across all programme types.

## Sound and music descriptions

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### What we proposed

- 5.30 We proposed to replace specific guidance on the means of speaker and sound identification (for example that speakers should be identified with colours, and that music should be indicated using the # sign) with the principle that speakers should be clearly identified, and that sound/ music effects should be clearly described. We said that sound effects and music descriptions should be specific, rather than generic, and as clear as possible (for example, describing the tone of the speech and the mood of music).

- 5.31 We also proposed that song lyrics should be subtitled where possible and unexpected pauses or inaudible dialogue should be explained. We stated that punctuation, italics or capitals may be used to indicate emphasis or emotion.
- 5.32 We proposed to remove the recommendation for subtitles to be displayed horizontally in the direction of any sound effects.

## Stakeholder responses and our research findings

- 5.33 CCP-ACOD said that any changes to the guidance on consistent labelling of non-speech information should be well-socialised with audiences so as to avoid confusion. Similarly, the BBC noted that the hashtag symbol (#) is well understood among subtitle users to mean music and advised that our Guidelines note that this symbol or a musical note can be used to indicate music and should not be used for other purposes except when the context is clear (for example, when describing a hashtag). The BBC also said that the guidelines should encourage exploration of the potential provided by modern subtitles presentation systems, for example indicating emotions using emojis. In our research, preferences varied for how different speakers should be identified (for example, using hyphens or colours). However, most of our participants considered a musical note to be a more recognisable symbol to identify music than hashtags. While a minority of participants preferred hashtags, many associated a hashtag with a tweet on X (formally known as Twitter), rather than with music. Many participants wanted musical notes to be consistently used across broadcast TV and VoD platforms (see section 3.3.3. of our research).
- 5.34 Respondents generally agreed with Ofcom’s proposal to recommend specific sound and music descriptions, though the BBC said this was essentially a matter of editorial judgement. Participants in our research generally wanted shorter, more precise and comprehensible descriptions rather than generic ones (see section 3.3.3. of our research for more detail).
- 5.35 NADP said that song lyrics should be subtitled to the end of programme playoff, rather than solely naming the artist and song title. They said that showing lyrics helps the viewer recognise the song and understand the reason why it may have been chosen to complement the content. Another respondent said we should recommend that song lyrics are introduced with the song title and artist’s name.
- 5.36 The BBC disagreed with our proposal to remove the recommendation that subtitles should be displayed horizontally in the direction of any sound effects. They stated that this should be retained so that an access service user can deduce the direction of sound effects from the subtitles. One individual respondent however welcomed the removal of this guidance. They stated that subtitles should be in the centre of the screen, but sound effects and other subtitles can move the position to the left or right.

## Our views

- 5.37 Taking into account our research findings, we consider that our guidance recommending that sound and music descriptions should be specific rather than generic remains appropriate. We believe that this is flexible enough for providers to take account of the preferences of their audiences, while using their creative judgment (both in their use of written descriptions and in their use of symbols/ subtitle presentation).
- 5.38 While we encourage providers to take account of preferences for the use of the musical note symbol among participants in our research, we understand that this symbol is not

supported on traditional broadcast television platforms and so the # symbol is generally used. We have added the hashtag (#) and music note symbol (♪) as examples of ways of indicating music in the Guidelines. We have also made clear that punctuation, italics or capitals are ‘commonly used’ methods to indicate emphasis or emotion rather than an exclusive list.

- 5.39 The Guidelines already state that song lyrics should be subtitled where possible. Audience preferences may vary in relation to whether song titles and artists’ names should be specified, but we understand this technique may be useful to include where the space does not exist to add the full lyrics due to overlapping dialogue or sound effects. We have added song titles and artists’ names as examples of how providers could choose to introduce songs.
- 5.40 In line with our approach to focus on key outcomes, we do not think it appropriate to specify that subtitles should be displayed horizontally in the direction of sound. However, we have clarified that the direction of off-screen sounds should be indicated in some way, without specifying how this is done (e.g. whether by moving the position of subtitles or some other means.)

## Subtitle Presentation

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### What we proposed

- 5.41 We proposed to replace specific guidance on subtitle presentation with the principle that subtitles should be easy to read, clearly visible against the background, and positioned to avoid obscuring the speaker’s mouth/ other vital information.
- 5.42 We said that subtitles and subtitle lines should be segmented at logical linguistic breaks.
- 5.43 We said that providers should take account of varying screen sizes in determining the size and position of subtitles and should consider customisation options to help address different needs and preferences.

### Stakeholder responses and our research findings

- 5.44 While user groups generally agreed that the ability to customise subtitles was useful (see choice and customisation section above), they also said that we should provide more detailed guidance on subtitle presentation. For example, NADP said there should be a standard default subtitle format (which includes a standard default font based on current TV subtitling fonts and a solid black background) as some may not want to adjust the settings or have the capability to do so, including some older viewers. The RNIB said that, where font sizes are customisable, providers should aim to make the largest font option readable by partially sighted people. The RNIB said that providers should be able to estimate this size by making reasonable assumptions around screen size and viewing distance. The readability of subtitles by partially sighted people was also raised by the BBC and RNID. RNID also stressed the importance of customisable font sizes for people who watched video content on tablets and smartphones.
- 5.45 The BBC also said that we should provide more detailed guidance on subtitle presentation, suggesting an Ofcom list of ‘known acceptable’ fall-back fonts and recommending against the use of popular ‘web safe’ fonts like Arial that are known to have confusable glyphs. They also said that it would be useful to define the ways by which we assess whether subtitles are

‘easy to read’ or not, suggesting that Web Content Accessibility Guidelines (WCAG) colour contrast requirements should be applied to the default (i.e. non-customised) presentation of text against the background, and that the background should be solid rather than transparent.

- 5.46 The BBC also said that they would welcome an explanation of the change from “natural linguistic breaks” to “logical linguistic breaks” and whether any change of meaning was intended by this. Participants in our research had very individual needs and preferences concerning how subtitles should be presented. Many participants spontaneously expressed a preference for sans serif fonts<sup>17</sup> (although a minority expressed a preference for serif type fonts). Most participants were in favour of being able to enlarge subtitle font size and many, also expressed a need for wider customisation options, including the ability to change the font type, colour, opacity, background and position, with this being particularly evident for those with dual sensory loss or cognitive or neurodevelopmental conditions. However, some participants raised concerns about the ease of accessing subtitle customisation tools with more extensive options (see section 3.3.3 of our research for more detail).
- 5.47 Paramount Global said that content providers do not always have control over how subtitles are presented on third party platforms.

## Our view

- 5.48 In our research, there was a range of preference for specific fonts across cohorts (for example sans-serif fonts), and not a specific preference for consistency (for example with the use of one default font across providers). We do not have sufficient evidence (or think it appropriate) to recommend a single default subtitle font at this time. However, we have provided some further guidance on the key characteristics of accessible fonts: giving Tiresias and Helvetica as examples and linking in the external resources to a style guide from the British Dyslexia Association which includes advice on readable fonts. We already said in the proposed Guidelines that fonts should use simple shapes and characters that are not easily confused, including for similar characters (for example, capital i and lower case l) and have added that this should also avoid letter characters that mirror each other (for example lower case b and d).
- 5.49 We do not have sufficient evidence on whether it is practical for the largest font option to be readable to partially sighted people across all device types. However, we agree that providers should aim to achieve this where possible and have added a reminder that larger font sizes are particularly important for deafblind people. We have also added a footnote to our guidelines referring to the Web Content Accessibility Guidelines for more guidance on ensuring that subtitle colours have sufficient contrast to the background.
- 5.50 No change of meaning was intended by changing the terminology from “natural linguistic breaks” to “logical linguistic breaks” in the Guidelines, but we consider that the new wording more clearly conveys the idea of semantic and other linguistic breaks.
- 5.51 We appreciate that providers may have less control over how subtitles are presented on some third-party platforms. As outlined above, we plan to facilitate discussions between providers and other parties involved in the customer journey via the working group.

## Language of subtitling

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### What we said

- 5.52 We proposed that subtitles should be in the language used by the programme's intended audience for its spoken language. We said that this is usually the same language as the main spoken language of the programme (for example that we would expect Welsh language programmes to be subtitled in Welsh.)

### Stakeholder responses and our research findings

- 5.53 We note that S4C provides a mix of English and Welsh language subtitles for their programmes. The RNID team in Wales have said to us in a follow-up conversation that they would like to see as much choice as possible for the d/Deaf community in Wales in terms of the subtitled language for Welsh language programmes, suggesting it would be of benefit for both language options to be offered on on-demand players. Similarly, the Wales Council for Deaf people sought feedback from their members who generally considered that there should be a choice of Welsh and English subtitles on Welsh language programming.
- 5.54 The RNID team in Wales also said that literacy and fluency in written and spoken Welsh (and indeed English) varies among the D/deaf and hearing loss communities of different cohorts in Wales.
- 5.55 The BBC suggested that we clarify that foreign language programmes should carry hard of hearing subtitles in the audience's expected language, rather than the language of the programme. They also noted that hard of hearing subtitles for non-speech sounds need to be considered when it comes to language choice.
- 5.56 RNID said that it should be made clear to audiences when characters switch between languages in shows. NADP proposed that if someone speaks in another language without translation, the subtitles should be in that language, and not translated, if no translation is provided in the audio.

### Our view

- 5.57 We recognise that the needs and preferences of the d/Deaf communities in Wales for the language of subtitling may vary and that different subtitled languages may be appropriate on different programme types. We also note however that offering choice of multiple subtitle languages may involve technological difficulty and/or additional expense for providers. **We have amended our Guidelines to say that the language of the subtitles should be in the language used and preferred by the programme's intended audience in the UK.** This is usually the same language as the main spoken language of the programme, where that language is used by the intended audience, but need not be the case where consultation with disabled users suggests a preference for a different language used by the UK audience (for example with some spoken Welsh programmes where English subtitles may be preferred).
- 5.58 We have clarified that foreign language programmes, which would in any case be translated, should be subtitled for a UK disabled audience (noting that subtitles for people who are D/deaf or have hearing loss contain more information than translation subtitles). We have also added that the subtitles should aim to provide an equivalent experience by making clear

when characters switch between languages in programmes and speak in foreign language which would otherwise not be translated.

# 6. Audio Description

## Summary – Changes to Audio Description guidance

- acknowledge different approaches to AD styles, appropriate for the genre/ type of programming
- support descriptions of visual features beyond those directly relevant to the plot, including diversity characteristics
- promote accessibility for programme types which are less suited to traditional AD, such as news, as well as additional accessibility features such as audio introductions \*for specific genres and contextual information that cannot be picked up from the programme

An asterix (\*) symbol indicates some of the main changes we have made following consultation.

## Approach to/ styles of audio description

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### What we proposed

- 6.1 We proposed to remove the recommendation that AD should be ‘unobtrusive and impersonal’ and instead encourage providers to consider different approaches to AD (such as more traditional or creative styles), taking account of their given audience’s needs and preferences, and the genre of the programme. We encouraged providers to seek feedback from audiences and adapt their style accordingly.
- 6.2 We also proposed that AD should generally avoid describing over the main soundtrack unless absolutely necessary and encouraged providers to consider customisation options to enable audiences to adjust the balance of the sound levels between the AD and the main soundtrack.
- 6.3 We said that AD should be in the language used by the programme’s intended audience for its spoken language.

### Stakeholder responses and our research findings

- 6.4 In general, respondents supported our proposal encouraging providers to adapt the style of AD depending on the genre and audience. Consumer groups (RNIB and CCP-ACOD) agreed that providers should seek audience input in respect of the style and tone of AD. RNIB suggested one way for providers to seek input from audiences into AD is through charities asking their members for feedback. They also highlighted that enhanced AD<sup>21</sup> provides a much richer experience, though traditional AD will still be required for users without the ability to play back spatial audio<sup>22</sup>.

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<sup>21</sup> RNIB described Enhanced Audio Description as using spatialised audio and sound effects to reduce or remove the need for spoken AD.

<sup>22</sup> [Spatial audio](#) is a way of creating sound in 360 degrees around a listener.

- 6.5 Participants in our research wanted the style of AD to fit the genre and mood of the programme, for example by adding lightness of touch for comedy programmes, or more expressive and animated tones for children’s programmes. In general, however, participants felt the tone should not be too expressive to the extent that it detracts from the programme’s content (see section 3.4.4. of our research).
- 6.6 BT Group highlighted the need to balance variety with quality, simplicity and business cost constraints and Channel 4 noted the challenge of making AD creative and immersive when it is largely created after the programme production process. They suggested that we encourage programme makers to consider ways of enhancing AD at the commissioning and production stage. Channel 4 and BBC also noted that it may be impractical and costly for providers to make multiple forms of AD available for the same content.
- 6.7 One individual respondent emphasised the importance of the audio describers’ accents matching those of the actors in the programme and/ or its context, suggesting that British voices be employed for UK programmes and American voices for those originating in the US. Our research however found that while participants generally liked the accents of audio describers to be aligned with the programme, this was not a priority for participants, as long as the accents were comprehensible (see section 3.4.4. of our research).
- 6.8 Some respondents (Red Bee Media, RNIB) questioned our recommendation that AD should generally avoid describing over the main soundtrack. Both argued that there can be moments where the visual elements in a programme take precedence over the main soundtrack or even minor dialogue.
- 6.9 Red Bee Media and RNIB also questioned our use of the term ‘soundtrack’, with RNIB highlighting that ‘soundtrack’ includes background music, but that very little content includes complete silences. They therefore proposed that preserving the main dialogue should be prioritised, followed by sound effects related to the plot and then other sound effects and background music.
- 6.10 Broadcasters (BBC, Channel 4, Paramount Global) were supportive of customisation and the encouragement of industry to innovate in this area. Channel 4 however highlighted the complexities for providers in providing customisation options as many platforms present the AD as a second premixed track rather than overlaying an AD-only track.
- 6.11 In relation to the language of AD, the BBC sought clarity that foreign language programming aimed at an English-speaking audience (and potentially subtitled in English) would be audio described in English, while a Welsh language programme intended for a Welsh audience would be audio described in Welsh.

## Our view

- 6.12 We remain of the opinion that the style of AD should be adapted to the audience preferences and nature of programme that is being described. We recognise providers need to take a proportionate approach to providing different styles of AD taking account of cost considerations.
- 6.13 We do not expect providers to offer multiple forms of AD for the same programme, but rather are encouraging consideration of audience preferences when choosing the style of AD on given programme types. We agree with Channel 4 that considering how to enhance AD earlier on in the production process may allow for more creative styles (for example, which are less restricted by existing gaps in the dialogue) and already encourage early

consideration of accessibility needs in the Accessibility in Production section of the Guidelines.

- 6.14 We agree with respondents that AD should prioritise the information of most interest to their intended audiences, even if this means describing over the main dialogue in certain circumstances. We have updated our Guidelines to reflect this prioritisation, noting that there are some cases where dialogue may need to be overlapped, for example if the information being described is of greater interest to audiences than the dialogue. This includes replacing the reference to ‘soundtrack’ with ‘dialogue’ which more accurately reflects our intended message.
- 6.15 We acknowledge that providers do not have full control over providing customisation tools for the volume of AD (for example, when the end-platform requires AD to be premixed with the main soundtrack). However, developments in ‘object-based’ media are expanding the possibilities of sending content as separate digital assets and we want to encourage providers to explore these options where practical. We have amended the Guidelines to recommend that providers consider the possibilities of adjusting sound levels in AD ‘where possible’.
- 6.16 We have clarified in the guidelines that AD should be in the language expected by the programme’s intended audience in the UK. We think this phrasing better reflects our intended meaning, accounting for the scenarios described by the BBC above.

## Describing information beyond the plot

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### What we proposed

- 6.17 We proposed that AD should describe visual information that is relevant to the plot. However, in order to give blind people and those with sight loss an equivalent experience of the programme, our updated Guidelines propose that AD should also describe sounds which are not easily identifiable, unexplained pauses in dialogue, and qualitative judgements to convey meaning or humour (for example, describing a shirt as ugly if that is key to a joke).
- 6.18 Further to this, our proposed Guidelines also said that AD should also be sensitive to other visual features beyond those directly relevant to the plot – including diversity characteristics. We also proposed to remind providers to avoid assuming default characteristics (for example by only describing skin colour for characters from minority ethnic backgrounds).

### Stakeholder responses and our research findings

- 6.19 Our research found participants generally preferred AD which consisted of more detailed descriptions, including of appearances, body language, on-screen information and emotions. However, they voiced frustration with AD that included unnecessary information, for example aspects that can be obtained from listening directly to the programme’s soundtrack (such as door slams or gun shots) – see section 3.4.4. of our research. Respondents were largely supportive of our proposed encouragement to describe diversity characteristics (Channel 4, Paramount Global, S4C, individual respondent) with S4C seeking further guidance on this. However, RNIB suggested that AD should only describe diversity and ethnicity characteristics if this is likely to stand out to sighted audiences. For example, if a period drama contained a more diverse cast than previously had been the case. They suggested that descriptions of an individual character’s ethnicity and/ or diversity

characteristics may be better suited to audio introductions or companion websites when not relevant to the plot.

- 6.20 Many participants in our research found the description of diversity characteristics to be important for highlighting the diversity of cast members on television. Regardless of whether these details were perceived as directly relevant to the plot, participants stated that having these descriptions allowed them to have an equivalent experience of the content to sighted viewers and helped those with shared characteristics to the characters on screen feel represented (see section 3.4.4. of our research).

## Our view

- 6.21 We recognise the research findings indicating participants' preference against over-descriptive AD, which redundantly describes sound effects that blind audiences and those with sight loss can already gather from listening to the dialogue and sound effects. We have added that AD should avoid describing information that is clear from the dialogue and sound effects, such as door slams or gun shots.
- 6.22 We remain of the opinion that providers should consider the inclusion of diversity characteristics in the audio description, given in particular that participants in our research valued their inclusion. What stands out to audiences depends on an individual's background and the extent to which they see themselves represented on screen, therefore sighted audiences and people with sight loss cannot be treated as one homogenous group. Given the importance of on-screen representation of people from under-represented groups, and the efforts of the broadcasting industry to make improvements in this space, we believe that information of this kind is of interest to all audiences – whether they are sighted or not – and blind people and those with sight loss should not be excluded from this.
- 6.23 We recognise however that fitting more detailed descriptions into the gaps of the main soundtrack can be difficult, therefore audio introductions may be a more suitable place to give more detailed diversity information (see below).

## Additional audio accessibility features

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### What we proposed

- 6.24 Our proposed Guidelines recommended the use of audio introductions<sup>23</sup> and extended AD<sup>24</sup> as a means of providing additional detail that there is not space to provide within the gaps in the programme dialogue.
- 6.25 We also recognise that some programming may be less suited to traditional AD than others (for example dialogue heavy news programmes or game shows). We proposed that providers consider integrating descriptions for people with sight loss into the programme as

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<sup>23</sup> Audio introductions can be listened to in advance of the main programming to set the scene and to allow audiences to gather relevant contextual or visual information about the appearance of the characters and/or setting where the action will take place.

<sup>24</sup> Extended AD allows the programme and soundtrack to be paused to create room for lengthier descriptions when necessary. Our updated guidelines stated that providers should consider offering extended AD as an optional feature that can be turned on and off to enable choice.

part of the production process (for example, presenters reading out on-screen text in quiz shows, or the use of dubbing for foreign language segments).

## Stakeholder responses and our research findings

- 6.26 With regards to our recommendations around audio introductions, Paramount Global noted that it would be a challenge for linear broadcasters to include these introductions at the start of the programme when there is limited space available in the main soundtrack. They noted that it would not be possible to provide audio introductions on linear at present.
- 6.27 Many participants in our research supported the use of audio introductions, particularly for genres of programmes with recurring characters such as TV series, dramas and soaps. However, some said they would prefer them to focus primarily on physical and diversity characteristics rather than contextual information that could be picked up from listening to the content (see section 3.4.4. of our research).
- 6.28 Red Bee Media said that extended audio descriptions can be more helpful on some content, for example, adverts, than on longer programming.
- 6.29 Our respondents were generally in support of integrated description (Channel 4, RNIB, Paramount Global). The BBC said it is not always possible to dub news output due to its topical nature (and that it can sometimes be necessary editorially for the voice of foreign language contributions to remain unchanged). In these cases, they consider whether the key message of the caption can be communicated orally elsewhere in the programme.

## Our view

- 6.30 Audio introductions are usually made available online via the providers' VoD platforms or on social media (for example ITV have provided audio introductions for their programme 'Trigger Point' which is available on ITV's [YouTube](#) channel and as an ITV Short on ITV X). We have clarified that audio introductions should be made available online.
- 6.31 We have also added a recommendation that audio descriptions are used for specific genres, and to describe relevant contextual information that cannot be picked up from the programme.
- 6.32 While we provide the use of dubbing as an example of how to make a programme more accessible to people with sight loss and/ or blind people, we also encourage broader consideration by providers on how to integrate relevant information into the spoken dialogue (which can include when dubbing is not possible).

# 7. Signing

## Summary – Changes to the Signing guidance:

- clarify that only British Sign-Language and Irish-Sign Language should be used to meet the sign-language requirements
- add guidance for VoD providers, including to consult BSL users when prioritising different types of signed content
- \*recommend that the same signer should be used on each episode of a series
- recommend that providers should take account of different ways of accessing content (e.g. mobile apps) when determining the size of the signer \*and consider customisation tools to change the size and position of the signer

An asterix (\*) symbol indicates some of the main changes we have made following consultation.

## Meeting the signing requirements

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### What we proposed

- 7.1 We proposed that BSL should be the default language for meeting the targets for both sign-presented and sign-interpreted programmes, however we note that broadcasters may also wish to use Irish Sign-Language (ISL) for some audiences in Northern Ireland.

### Stakeholder responses and our research findings

- 7.2 User groups (BSLBT and RNID) supported our proposal for BSL to be the default language for meeting signing requirements. RNID suggested that we make it clear that both BSL and ISL are used in Northern Ireland and that provision of both languages should be considered in commissioning signed content.
- 7.3 BT agreed that BSL should be the default language for meeting signing targets, but they highlighted the challenge this creates with international content (for example, much of US content is available in American Sign Language – a language that is completely different to BSL). They also suggested that Ofcom encourage providers to work together to share the cost of signed content and avoid duplication, as available resources are finite, and duplicated signed content could detract from sign-language services within the community.

### Our view

- 7.4 The proposed Guidelines already explain that BSL is a distinct language recognised by the UK Government, and they link to the 2022 BSL Act for further information. In line with RNID's comments, we have clarified that both BSL and ISL might be used for audiences in Northern Ireland.
- 7.5 We recognise that meeting the signing requirements in BSL could involve creating signing from scratch, including for international content. However, proportionality is built into the broadcast signing requirements; only larger broadcasters need to provide 5% of their content with signing, while broadcasters with smaller audiences need to make a smaller

financial contribution to a third-party provider of signed content (BSLBT) or need to produce a smaller quantity of sign-presented programmes. Some broadcasters are exempt entirely from the accessibility requirements on affordability grounds. We will consider similar arrangements for meeting the proposed signing targets for on-demand services when we consult on the on-demand Code (see [Media Bill implementation roadmap](#)), taking account of any concerns around resources and duplication of content.

## Selection and scheduling of programmes

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### What we proposed

- 7.6 We recommended that broadcasters schedule relevant programmes for when sign-language users are likely to be watching. As far as possible, we said that providers should avoid scheduling programmes in the early hours of the morning.
- 7.7 We also encouraged providers to integrate representation of BSL speakers within programmes made primarily in other languages, including English.

### Stakeholder responses and our research findings

- 7.8 Respondents generally agreed with our recommendation to avoid broadcasting signed content in the early hours of the morning and RNID advised that broadcasters should consult with d/Deaf audiences when making scheduling decisions. GALMA also emphasised that broadcasting signed content during peak times can serve as a crucial method for exposing wider audiences to signed programming.
- 7.9 Our research participants also expressed their frustration at this practice, with some stating that they did not watch sign-interpreted content due to it being broadcast when they were unlikely to be watching. Some noted that they recorded this content on their TV sets as a workaround, but others said that they were unable to do so (see section 3.5.2. of our research).
- 7.10 ITV said that the scheduling of content on their broadcast channels is no longer as crucial as it would have been in the past. They said that in recent years, they have seen a significant increase in BSL audiences accessing content on demand and a concurrent decrease in viewing figures for content broadcast live. They have focused their efforts on providing BSL audiences with content on their on-demand platform, including by launching a dedicated BSL FAST channel. Paramount Global noted that it can be challenging to schedule signed programming at peak times as part of a diverse programme schedule on linear channels.

### Our view

- 7.11 We are retaining the recommendation for broadcasters to avoid scheduling programmes in the early hours of the morning, given our research findings and the fact that broadcasters should cater for all audiences including those that might not use on-demand services as per the terms in our Code.

## Sign-interpreted/ sign-presented programming

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### What we proposed

- 7.12 We acknowledged that audiences enjoy watching both sign-interpreted and sign-presented programmes, but that the preferred approach may differ by genre. For example, sign-interpretation can be particularly important on news and current affairs programming, while sign-presented content can be easier for children to understand.
- 7.13 Broadcast requirements for sign-interpretation and/or sign-presentation are currently set out in the Code. Our proposed Guidelines suggested that VoD providers should consult their audiences when deciding which option to provide and on which programmes<sup>25</sup>. This replaced previous guidance that sign language users particularly appreciate sign-presented programmes.

### Stakeholder responses and our research findings

- 7.14 RNID and GALMA agreed that Deaf audiences should be consulted in choosing between different forms of signed programmes. However, BLSBT raised concerns about how providers will achieve this, suggesting the setting up of an advisory group.
- 7.15 BSLBT also agreed with retaining the recommendations around sign-presented programming for children, stating that programmes such as ‘Magic Hands’ on CBeebies (a BSL presented programme) has high viewing figures and that focus groups/ feedback have shown that both deaf and hearing children enjoy programmes in BSL. Deaf children feel represented, while hearing children can learn sign-language (BSLBT noted that a new BSL GCSE is due to be introduced). More generally, RNID also spoke to the broader benefits of signed content in helping people to learn sign-language, suggesting this is added to the guidelines.
- 7.16 In general, participants in our research preferred sign-presented programming to sign-interpreted as they did not have to focus away from the content to view the signer, and the sign language was generally clearer and more engaging (see section 3.5.3. of our research for more detail). BSLBT disagreed with our proposal to remove our recommendation that BSL users particularly appreciate sign-presented programmes as Deaf people generally want to see themselves represented on screen. Participants had a more pronounced preference for sign-interpreted programmes (compared to only subtitling) for certain genres: for example, news, current affairs, interviews, debates and certain documentaries which involve less action and in which complex topics are discussed. Both BSLBT and RNID agreed that signing can be important for news and current affairs.

### Our view

- 7.17 We recognise in our Guidelines that disabled people can face additional barriers to providing feedback, and we encourage providers to ensure that their feedback and complaint routes are accessible at all points in the process. We expect the working group to explore ways to communicate effectively with disabled communities, including the Deaf community, to

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<sup>25</sup> We will consult in due course on an on-demand accessibility Code setting out how the Media Bill’s proposed requirements for VoD accessibility (including signing) will work in practice. In our 2021 recommendations to Government for VoD regulations, we said that VoD providers should have the choice of providing sign-interpretation, sign-presentation or funding an approved provider of sign-presented programmes.

gather feedback. We note this is likely to be of particular relevance when the new Media Bill signing requirements come into effect.

- 7.18 Our guidelines already state that sign-presented programmes allow Deaf people to see their culture and community reflected on-screen. While we encourage providers to take account of our research findings in this area, we do not wish to be overly prescriptive in recommending sign-presented programmes as preferences may evolve over time/ by broadcaster. So, we have retained our guidance to VoD providers on considering audience preferences for sign-interpretation or sign-presentation.
- 7.19 We have also retained our guidance that sign-interpretation may be particularly important for news and current affairs which was supported by findings from our research.
- 7.20 We have added that signed programmes may also help people to learn BSL.

## Quality of signed programmes

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### What we proposed

- 7.21 We proposed that sign-interpretation should be synchronised as far as possible with the speech, should accurately reflect the speakers' words and intonations, and that interpreters should identify non-speech information, such as indicating who is speaking and important sound effects.
- 7.22 We said that sign-language interpreters and presenters should be appropriately qualified.
- 7.23 We also recommended that all signed programmes should be subtitled to make comprehension easier.

### Stakeholder responses and our research findings

- 7.24 Participants in our research noted frustration about signing quality, relating to clarity, accuracy, and synchronisation (see section 3.5.3. of our research). BSLBT suggested that we added a note to the guidelines on minimising omissions as vital information (e.g. in news) is often dropped in sign-interpreted programmes to 'keep up'. RNID and S4C noted that there are regional variations in BSL (which form part of the same language) and RNID noted that we should encourage interpreters to take this into account.
- 7.25 Respondents generally supported our recommendation that sign-language interpreters and presenters be appropriately qualified. RNID however noted that this is less necessary for sign-presented content as it is an opportunity for Deaf BSL users to tell stories in their own language who may not hold advanced sign language qualifications.
- 7.26 BSLBT asked that we recommend a specific qualification for Deaf translators, especially for sign-interpreted news/ current affairs programmes where there is important information being shared, as native BSL users risk mistranslating if they don't have the skills that can only be acquired via the qualification.
- 7.27 GALMA agreed with our proposal that signed programmes should, where possible, be subtitled, but said that consideration should also be given to revoicing and audio describing signed programmes so that they are also accessible to people who do not have access to the images or who prefer revoicing.

- 7.28 Our own research found that many participants prefer that the same sign-interpreter is used across episodes of a TV series; some considered it distracting when different signers are used within the same TV series because that means needing to familiarise oneself with each new signer’s signing style (see section 3.5.5. of our research).

## Our view

- 7.29 Taking account of RNID’s point, we have removed the reference to sign-presenters needing to be qualified to feature in programmes, but we have retained the recommendation that sign-interpreters should be appropriately qualified. We note that across the industry, there are a number of recognised qualifications for BSL interpreters. However, in line with our general approach to focus on outcomes, we are not being prescriptive on the specific qualification(s) that interpreters should possess.
- 7.30 We acknowledge that avoiding omissions may be particularly important when key information is being conveyed (for example in news programmes). As with our recommendations on subtitling (see 5.26), we have added to the guidelines that signing accuracy may be particularly important when important information is being conveyed (for example in news programmes), even if this increases latency. We have also added that interpreters should take account of regional variations in BSL.
- 7.31 We have reflected the findings from our own research and added that ‘as far as possible, providers should keep the same signer(s) on each episode in a series’. We feel that this is important to create a sense of continuity for audiences, including when they are likely to watch multiple episodes in a series.
- 7.32 We acknowledge GALMA’s suggestion that providers should also consider audio describing and revoicing signed programmes, however we believe our recommendation for providers to offer multiple access services on programmes (see 4.37), adequately addresses this.

## Size and presentation of sign interpreter image

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### What we proposed

- 7.33 We proposed that sign-interpreters should be clearly visible against the background, for example by wearing clothing of contrasting colour. This replaces our previous guidance which recommended that the signer should use a style of clothing that is appropriate to the style of the programme, while still allowing them to be seen distinctly.
- 7.34 We said that interpreters should be large enough for their facial expressions and hand gestures and to be easy to understand, while not obscuring important information on screen.
- 7.35 We proposed that the sign-interpreter should generally appear on the right-hand side of the screen and take up at least 1/6 of the area of a television screen. When determining the size and position of the signer, we said that providers should also take account of the various platforms on which the content will be played out.

### Stakeholder responses and our research findings

- 7.36 Generally, the move to more flexible, outcomes-focused Guidelines was appreciated by respondents.

- 7.37 In terms of signer presentation, the RNID suggested sign-interpreters should avoid wearing distracting patterns. This sentiment was echoed by our research findings which revealed no strong preferences when it comes to how signers present themselves so long as there is good colour contrast between the signer's skin, clothing and background, that the signer's clothing is plain and not visually distracting (see section 3.5.5. of our research).
- 7.38 When it came to the size and visibility of the signer, RNID stressed that signers should have their whole front and upper body visible at all times, alongside their face and hands, because this ensures that all shoulder movements are visible to BSL users, something important for the full comprehension of the language.
- 7.39 From our own research and from the research cited in the responses, we observe that a consensus does not appear to exist as to the size of a sign-interpreter. Our research participants spoke of their frustration if the signers are too big and distract from the programme's main picture, or if they are too small to be intelligible. Some said their preferences for the size of the signer could vary depending on the type of programme they watched or device used. It was observed that it would be advantageous to be able to adjust the size of the sign-interpreter (see section 3.5.5. of our research). RNID also recommended that providers offer customisable interpreter sizes, as supported by their [Subtitle It](#) research.
- 7.40 BT also pointed to research<sup>26</sup> that concludes that the genre of the content is also relevant when deciding on the size of the sign-interpreter. The research suggests a larger signer may be preferable for programmes such as the news, but for films, interviews or documentaries, where the viewer needs to process more on-screen information outside of the signing, a smaller signer may be more appropriate.
- 7.41 BSLBT and BT stated that some degree of flexibility would be welcomed when it comes to both the framing and positioning of the signer. BT asked that we remove the prescriptive recommendation for the signer to be positioned on the right-hand side of the screen, pointing to research that suggested there is a benefit to having flexibility in where the signer is positioned.
- 7.42 On the positioning of the signer, most of our research participants expressed a preference for the sign-interpreter to be positioned outside of the programme's frame rather than overlaid on the programme. They felt that it was easier to follow the signer if there is a plain and monochrome background behind them (see section 3.5.5. of our research).

## Our view

- 7.43 In response to RNID's feedback, and our research findings, we have added the signer's clothing should be plain, and non-patterned.
- 7.44 We have also amended our Guidelines to recommend that the sign-interpreter's upper body should be easy to see (along with their face and hands) in line with RNID's recommendations.
- 7.45 Whilst our guidelines recommend a minimum size of the signer (at least 1/6 of the TV screen), we recognise that providers should make an informed judgement based on a number of factors. In line with research outlined above, we have also added that the genre of the programme, including the amount/type of on-screen activity, should be considered

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<sup>26</sup> [Redón Sala, Núria. \(2014\) Qualitat en la interpretació de llengua de signes a la televisió: accessibilitat a la cultura. Barcelona: Universitat Autònoma de Barcelona. Trabajo Final de Grado en Logopedia.](#)

when determining the size and position of the signer. We have also removed the implication that sign-interpreters should appear on the right-hand side of the screen, instead highlighting that this is where they generally appear.

- 7.46 To build on this, and taking account of the research findings, we have added that providers should consider customisation tools to change the size of the signer where possible. We acknowledge that providers do not always have the option to provide customisation tools, however, as with our recommendations on choice and customisation above, we encourage providers to innovate in this area where possible.
- 7.47 We know that the broadcasters and service providers differ in how they display their sign-interpreters. Whilst our guidelines offer flexibility to providers when it comes to displaying sign-interpreters off-screen or overlaid over the main programme, we note our research findings which suggest that positioning the sign-interpreter off-screen can improve its visibility for the audience. So, we have provided this as an example of how sign-interpreters can be visible against the background screen.

# A1. Equality Impact Assessment

- A1.1 We have given careful consideration to whether our changes to the Code and Guidelines will have a particular impact on persons sharing protected characteristics (broadly including race, age, disability, sex, sexual orientation, gender reassignment, pregnancy and maternity, marriage and civil partnership and religion or belief in the UK and also dependents and political opinion in Northern Ireland), and in particular whether they may discriminate against such persons or impact on equality of opportunity or good relations. This assessment helps us comply with our duties under the Equality Act 2010 and the Northern Ireland Act 1998. (Further detail is set out in section 149 of the Equality Act 2010 and section 75 of the Northern Ireland Act 1998).
- A1.2 We do not look specifically at our duties under the Welsh Language (Wales) Measure 2011 in this assessment as we consider that the exception for broadcasting (including access services) applies<sup>27</sup>. However, we note our decision that subtitles and AD should be in the language used and preferred/ expected by the programme’s intended audience in the UK. We specify that subtitling for Welsh-language programmes may be provided in English, if this is preferred upon consultation with disabled audiences.
- A1.3 We have not identified any likely adverse impacts on people with any of the protected characteristics.
- A1.4 Our overarching aim in making these changes is to increase the usefulness of access services to disabled audiences.
- people with disabilities
  - people whose age-related conditions may make them more vulnerable (who we consider under the protected characteristic of ‘age’)
  - people belonging to these or other equality groups to the extent that those people use access services for reasons other than sight or hearing loss.
- A1.5 There are a number of ways in which we believe that our changes to the Guidelines are likely to be beneficial to the above equality groups. Some examples of these are detailed below.
- A1.6 We have expanded our Guidelines to better include people with cognitive conditions and encourage providers to consider the benefit and use of access services by these groups in their programming.
- A1.7 Whilst our current Guidelines give recommendations to broadcasters, we also strengthen our messaging that our Guidelines should not be used in isolation and that providers also need to consult with their audiences/charities representing audiences in order to ensure that they effectively deliver for them.
- A1.8 There has been a clear increase in the popularity of on-demand services in recent years<sup>28</sup>. Therefore, our Best Practice Guidelines on TV access services have been updated to include

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<sup>27</sup> See Exception for Broadcasting in the Welsh Language (Wales) Measure 2011, Part 4, Chapter 9 (67).

<sup>28</sup> Average minutes of viewing by all individuals (aged 4+) to subscription VoD and broadcaster VoD services has increased from 27 minutes per day in 2017 to 73 minutes per day in 2021. Ofcom estimates of total audio-

recommendations for providers of VoD services on ensuring the quality and usability of their access services to result in increased fulfilment and inclusion in society by the aforementioned equality groups.

- A1.9 We believe that the shift in our guidelines from focusing on the means of delivering access services, to encouraging broadcasters and service providers to focus on a range of key outcomes for audiences, will result in more creative and impactful accessible content. Our guidelines take account of extensive engagement with groups representing disabled people, stakeholder responses and our qualitative research with disabled audiences. During this research, we engaged directly with individuals in the groups listed above, including interviews with individuals with hearing loss, sight loss, dual-sensory loss and BSL users, as well as those with cognitive and neurodevelopmental conditions. The participants also represented a range demographics including age, gender, socio-economic group and religion.