

## **Response to Ofcom's proposed plan of work 2021/22 - Making communications work for everyone**

The National Association of Deafened People ("NADP") is a nationwide charity run by its members who are deafened. Our members have experienced hearing loss to varying degrees during their lifetimes. Some have had a hearing loss since birth or early childhood, others may have become deafened suddenly during adulthood. Many share a gradually deteriorating hearing loss with age. Our members have a wide ranging experience dealing with their hearing loss, many use hearing aids while others have been fitted with Cochlear Implants. Our membership includes people of working age and those who have experienced deafness during their working lifetime. NADP is pleased to have the opportunity to respond to Ofcom's consultation on its Plan of Work for 2021/22.

Whilst we appreciate the continuing focus of work towards the much needed and overdue regulation of accessibility of Video on Demand (ODPS), it is disappointing that Ofcom has made no mention of the continuing issues of the quality of subtitling of live broadcasts. Issues remain from the lack of subtitles on live programs, inaccuracy of subtitles, excessive lapses and gaps. Whilst Ofcom conducted considerable and extensive research into these issues concluding in November 2015, it would appear that nothing material has been followed through. The Communication Consumer Panel in its research paper "Time to Catch-up" highlighted the impact of poor quality subtitles on the enjoyment and well being of the significant population who rely on subtitles, which can only be more concentrated during the pandemic, yet Ofcom has failed to address this need in its work plan for the year.

Article 7.4. of AVMSD states: - Each Member State shall designate a single, easily accessible, including by persons with disabilities, and publicly available online point of contact for providing information and receiving complaints regarding any accessibility issues referred to in this Article. There is no mention in OFCOM's Plan of Work 20-21 of designating a single point of complaints.

There is also no mention in Ofcom's Plan of Work of the dire state of telecommunications for deafened people. The U.K. currently has only one Telephone Relay service to address the needs of both deaf and speech impaired people in the U.K. RNID research suggests that the population of deaf people in the U.K. exceeds 12m people. This population varies from those who are Deaf and use BSL for their first language to deaf people who use English as their first language. The latter group have a hearing loss which varies from mild to profound. It would appear that Ofcom fails to understand that the needs of this population for telephone relay services vary greatly yet Ofcom continues to look at the minimal service that can be offered of a Text Relay Service. Understandably this service is not well supported by the deaf population as it fails to meet their needs. Furthermore the poor design of the initial NGTS app led to many deaf people losing confidence in the service which led to NADP carrying out its survey to demonstrate the need for improvements. However the resulting improved app remains a disappointment and requires many potential users to upgrade a smart phone which is less than 5 years old. The current offering fails usability and backward compatibility requirements to ensure every user can use the service as intended.

It is worth noting that neither BT nor Ofcom has contacted NADP to ask for our contribution to this discussion nor the present the results of the required bi annual survey. It is essential that persons with disabilities and their representatives are involved.

NADP remains supportive of Relay U.K. as a necessary service for a small proportion of its membership but the majority, particularly those who can use their own voice, would prefer a telephone relay service which offers transcription at a similar speed to speech so that they can have a telephone conversation in an equivalent way to their peers.

It is encouraging that Ofcom is focussing on the future of technology yet disappointing that it is leaving deaf people behind, firstly by not accommodating the needs of deaf people in these developments, and secondly by not improving the services offered to the deaf population so that they can enjoy an equivalent level of communication as their hearing peers.

We remain particularly concerned that Ofcom is not liaising with the deaf and hard of hearing community proactively to discuss developments in technology nor any areas that may concern the deaf and hard of hearing population with communication services. It is worth noting that at the presentation last year NADP raised our concern about the lack of communication between interested parties involved in Telephone Relay services and suggested that all parties met to discuss how this could be improved. It was agreed that Ofcom would coordinate such a meeting. Whilst we accept that the pandemic has put plans askew, we ask that this meeting is arranged remotely so that we can move our concerns forward.

The Covid pandemic has brought a number of issues to light which we do not believe Ofcom has been reviewing. The increased use of remote telephone consultations and Video Conferencing especially in healthcare and educational settings has led to a number of advances in this technology however these developments have been accompanied by a lag in accessibility features. How are Ofcom looking into ensuring that as part of public procurement only suitable platforms with wide access to accessibility features are used and all those features activated? It is worth noting that whilst NHS England has been offering alternative communication services for patients, in our experience and that of our members, often these services do not offer accessibility features. For example UCL offers a video conferencing platform, prescribed by NHS, for audiology appointments but this service offers no captioning.

Similarly many GPs have not even heard of Relay U.K. and so do not proactively use a prefix to call their patients resulting in missed or inaccessible calls, whilst at the same time removing access to alternative communication methods for deaf people such as email or SMS. In the rare situations where this access is provided case those methods they need to be easily found on GP's websites.

We would like to note that had a captioned telephony relay service (CTRS) already been made available in the U.K., as enjoyed by other developed countries, a GP would be able to call a deaf patient using a normal phone number in the same way as a hearing patient.

We hope that Ofcom will review our response in light of its Plan of Work and recognise that there is a significant amount of work that needs to be done to ensure that communication works for deafened people and those with a hearing loss. We welcome the opportunity to discuss.