

Response to Ofcom's Plan of Work 2025/26 by the National Association of Deafened People (Registered Charity no 294922).

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, while others may have become deafened suddenly during adulthood. Many share a gradually deteriorating hearing with age. Our members have a wide range of experiences 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. Most commonly, our members rely on English as their first or preferred language and are typically reliant on subtitles or captions to assist their communication. NADP welcomes the opportunity to comment on Ofcom's Plan of Work for 2025/26.

It is exciting to see how the communications sector is developing and how engaged Ofcom is in this development. However, while these developments clearly benefit the population as a whole, we need to better understand how deafened people and people with hearing loss will be included in these developments. In the past we have typically seen accessibility included as an afterthought, resulting in delays in accessibility features, additional costs and ultimately resistance from service providers to update their services in full to accommodate the needs of people with hearing loss. We recognise that the industry is more aware of the needs of people with disabilities but would like reassurance that talks of accessibility being included at the outset of developments becomes the norm.

It is not clear from the work plan how Ofcom identifies the needs of deafened people in the communication sector and how these may be impacted on current and future developments. For example, while we fully support Ofcom's statement that everyone should have equitable access to media, there appears to be a lack of focus on how Ofcom can ensure that deafened people who rely on captions can access this content with captions whichever platform it is shown on. Similarly we see little in the work plan that demonstrates that Ofcom is looking at how the development of AI particularly with regards the development of Automated Speech Recognition could and is already impacting on the quality of captions being made available from telephone to broadcasting.

People with hearing loss make up a significant proportion of consumers impacted by the communication sector and rely on Ofcom to ensure that they can continue to access communication services despite their disability. One in six people in the UK have some form of hearing loss according to RNID. The

distribution of these people falls heavily in the older population who typically rely more on TV and telecommunications to keep in touch with society as they themselves become more immobile. It is not clear from the work plan that Ofcom recognises this concentration of vulnerability in the services that it regulates and is putting sufficient resources in place to address this demand.

“Domestic partnerships” - Nothing about us without us.

We note the numerous Domestic Partnerships that Ofcom has within the industry, however we also note the lack of a clear group that represents people with hearing loss. Clearly the best people to know what works best for them are those with the lived experience. We therefore believe that the most effective and efficient way to ensure that technology develops inclusively is for people with lived experience to be involved. We have seen numerous “inclusive” developments fail simply because disabled people were not involved.

We have welcomed the research conducted by Ofcom and the Communications Consumer Panel on how people with lived experience can be included in research, and have actively participated in this research both as participants and reviewers. However, it is not clear where Ofcom intends to include the involvement of people with lived experience such as deafened people within their own research that is directly related to them and also how they intend to obtain this lived experience in the regulation of existing and future communication services. Previously Ofcom regularly met with a collective group of charities with a focus on people with hearing loss. This consisted of representatives of charities many of whom had lived experience of hearing loss. Through these meetings Ofcom was able to understand how future developments could impact on people with hearing loss in different ways. Unfortunately these meetings lapsed during the pandemic and have not resumed on a regular basis. We believe that the resuming these collective meetings would allow Ofcom to encapsulate the lived experience directly in their work allowing their teams to proactively address the impact of future developments on the deaf population with service providers and ensure accessibility is considered at early stages of development and not as an afterthought. The charity sector would also benefit from being more aware of future developments at an early stage. We would welcome the opportunity to discuss how these meetings could resume.

Growing skills and capabilities - Diversity and Inclusion (D&I) strategy

We have noted Ofcom’s progress with diversity and inclusion, and are encouraged by new target of 15% for organisational wide representation for disability. However, we continue to believe, as raised in our previous responses

to consultations, that people with hearing loss, which, significantly, represents 1 in 6 of the population, should be targeted separately. With the right support people who are deafened can continue to progress in careers despite their hearing loss and should be able to achieve positions of senior leadership within Ofcom. We recognise that historically deafened people may have shied away from disclosing their hearing loss. But the workplace has changed and with support that Ofcom has already demonstrated through its recent award, we believe that deafened people should achieve senior roles within Ofcom and a representative target should be set. Not only would this help demonstrate that Ofcom is supportive of deafened people but it would gain directly from people with lived experience working in areas that directly affect them and help Ofcom better understand the needs of deafened people.

Accessibility of TV services - needs work

It is encouraging to see how Ofcom's plans to regulate accessibility of VoD content will continue in the next year and we share the frustration as to how long this has taken. However, we remind Ofcom that much work needs to be done to ensure that access is available on all platforms and all media. We prewarned Ofcom in the early years of VoD that it should regulate the provision of subtitles on content for VoD from the outset. However, it still chose to "encourage" VoD providers to offer access services through the formation of ATVoD. At the same time US regulations progressively required all content to be captioned for over 10 years and it is therefore of little surprise that the US big players have continued to dominate in the UK too. It is not clear how Ofcom intends to catch up on the progress lost in terms of access to captions.

Interestingly, we have observed that the younger population is more likely to use captions on content than other age groups. Given Ofcom has focussed on improving the attraction of content for younger audiences perhaps there is a "Win- Win" situation where Ofcom can focus more on ensuring all content is accurately captioned thereby meeting the needs of both young and old audiences regardless of their level of hearing.

Access to radio broadcasts

We note Ofcom's commitment to supporting England's diverse media ecology, by making sure media is inclusive and reflects all audiences, remains an essential part of our work. And that Ofcom recognises the importance of local media and will deliver the new local news and information requirements for analogue radio stations.

We believe that advancements in technology are sufficient now that radio programmes could be captioned. Many deafened people enjoyed listening to radio programs while they had normal hearing and many feel aggrieved when they are unable to enjoy those programs when their hearing deteriorates. There is currently no reduction in the TV licence fee for deafened people and so they should be able to access the same content as the rest of the population. We would welcome the opportunity to discuss the potential of including captions on radio broadcasts with Ofcom alongside the service providers.

Telecommunications - Telephone Relay Services

We note with interest that Ofcom will continue to support investment in networks through its Telecoms Access Review which will provide regulatory certainty. However, it is not clear if this review will include access to the telephone for deafened people through Telephone Relay Services.

The sole regulated relay service in the UK, Relay UK, continues to fail to meet the needs of the majority of deafened people who use English as their preferred language, particularly for those people who can use their own voice and would like an equivalent telephone conversation speed as enjoyed by the population. When Ofcom approved BT's Relay UK it did so on the understanding that Ofcom would regularly review the service in light of advances in technology. There have been significant advances in the quality of Automated Speech Recognition over recent years and we would welcome an update on how this technology could be used in the provision of Relay services in the UK.

We note that Ofcom liaises with comparative international regulators and would expect that Ofcom would be aware of the developments and quality of Relay Services worldwide. We therefore ask that Ofcom reviews the provision of Telephone Services in the UK to bring it up to the quality and availability of services available worldwide so that deafened people are offered an equivalent telephone service to the population as whole as enjoyed elsewhere in the world. We recognise that this would fit in with Ofcom's commitment to "continue to ensure that the diverse communication needs of people across England are met", and help "the statutory Advisory Committee for England continue to support Ofcom's policy decisions by identifying issues affecting the communication sectors in all parts of the country".

Internet-based communications markets

We recognise Ofcom's continued support with the switchover from PSTN to VOIP telephony and ensuring that at risk people are provided with a continuous service standard before and after switchover, particularly in relation to

emergency situations. It would be helpful if Ofcom could provide more transparency of the solutions being offered by the different communication providers so that deafened people are confident that they are receiving the service that meets their needs and that they can choose for themselves the best option. We would be happy to discuss how this could be developed.

Regulation of Automated Speech Recognition

Since the pandemic Ofcom will be aware of the increasing use of video conferencing packages by the population and how these are being used as an alternative to conventional telephony. Ofcom will also be aware that the different platforms offer captions which are typically automatically generated. The deafened population has embraced this form of communication. However, whilst the captions are welcome they often lack the quality of captions provided through human intervention and in particular the format and presentation do not always provide a consistent and equivalent service. Often this leads to these captions being offered in situations where accuracy is poor compared to human produced captions. We believe a minimum quality standard should be specified for ASR produced captions similar to that offered for Relay UK.

The presentation of captions is also important as experienced with the regulations for subtitles on broadcast TV. We are aware that significant research is available on the best way to present captions notably by the BBC. We believe that there should to be a minimum requirement for the format of captions presented and ask that Ofcom researches how this could be achieved.

We look forward to the opportunity to discuss the needs of deafened people with Ofcom in the forthcoming year.

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