



Disability Action Plan

For Northern Ireland

Consultation

Publication date:

18 May 2007

Closing Date for Responses:

26 June 2007

Contents

Section		Page
	Foreword	1
1	Introductory statement	2
2	Previous measures	3
3	Action measures	10
4	Functions	17
5	Public life positions over which Ofcom has responsibility	20
Annex		Page
1	Internal arrangements	22
2	Ofcom's disability equality priorities	25
3	How to contact Ofcom	29
4	Responding to this consultation	31
5	Ofcom's consultation principles	33
6	Consultation response cover sheet	34

Foreword

The ways in which we communicate with each other, both individually and as a society, have never been more diverse. New communications technologies continue to emerge, providing more choice and opportunity for consumers to access entertainment and information and to interact with each other. But full participation for all is not a given; service providers and manufacturers need to take into account the needs of disabled people.

As the UK's communications regulator, Ofcom has a number of duties designed to ensure disabled people have fair access to electronic communications. These include setting and monitoring targets for television access services (subtitling, audio description and signing) and encouraging the availability of easy to use equipment. In telecommunications we regulate the text relay service, which enables Deaf people and hearing people to communicate with each other. We are also working with telecoms providers to make new and existing telecoms services and technology accessible to disabled people.

The independent Ofcom Advisory Committee on Older and Disabled People provides advice to the main Ofcom Board to ensure that Ofcom's policies and practices take into consideration views expressed by older and disabled consumers. Our Consumer Panel Member for NI is registered disabled. The Chair of our Community Radio Fund Panel is also disabled.

This Disability Action Plan is an important document in that it is a statement of Ofcom's commitment to and proposals for fulfilling the statutory obligations in compliance with Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006). This Act places new duties on public authorities, when carrying out their functions to have regard to the need to promote positive attitudes towards disabled people; and to encourage participation by disabled people in public life.

The Plan is also important because it outlines how disability issues can be more effectively mainstreamed within Ofcom, thus ensuring that they are a key consideration in the whole range of policy decision-making within the organisation.

David Currie

Chairman, Ofcom

Section 1

Introductory statement

- 1.1 Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006 requires Ofcom, in carrying out its functions in Northern Ireland, to have due regard to the need:
 - to promote positive attitudes towards disabled people; and
 - to encourage participation by disabled people in public life.
- 1.2 Ofcom is committed to the fulfilment of its disability duties in all parts of the organisation and has set out how it intends to do this in this Disability Action Plan (DAP).
- 1.3 Ofcom will undertake a planned programme of communication and training on the disability duties for all staff and elected members.
- 1.4 This plan sets out how Ofcom proposes to fulfil the disability duties in relation to its functions.

Publishing the Disability Action Plan

- 1.5 Following submission to the Equality Commission for Northern Ireland, this Plan will be available by contacting:

Lila Truesdale
Ofcom Northern Ireland
Landmark House
The Gasworks
Ormeau Road
Belfast
BT7 2JD

Tel: 028 9041 7510
Fax: 028 9041 7533
Text phone: 020 7981 3043
Email: elizabeth.truesdale@ofcom.org.uk
- 1.6 The availability of the Disability Action Plan will be advertised in the press, including disability specialist press, and can be accessed on Ofcom's website at www.ofcom.org.uk
- 1.7 Ofcom will, through its ongoing work with people with disabilities and people with learning disabilities, find appropriate ways of communicating the Plan. The Plan will be produced in clear print and plain language, will be available in alternative formats on request, including large print, Braille, audio cassette and computer disc.
- 1.8 The Plan will be highlighted through press releases, advertisement, mail shots and meeting directly with disability organisations and representative groups.
- 1.9 The Plan will be available in the Irish language upon request. The Plan will also be available in ethnic minority languages upon request.

Section 2

Previous measures

- 2.1 Ofcom has already taken a number of measures to promote positive attitudes towards disabled people and encourage their participation in public life as a result of its duties under the Communications Act 2003 and Section 75 of the Northern Ireland Act 1998.
- 2.2 There are two parts to Ofcom's work to promote disability and other equalities issues - the internal aspect ensuring that Ofcom manages diversity effectively across the organisation; and the external aspect promoting fair access to communications and encouraging equal opportunities within the sectors it regulates.

Communications Act

- 2.3 Under the Communications Act 2003, Ofcom has legal obligations to promote equality of opportunity that explicitly refer to the needs of disabled citizens and consumers.

Section	Detail
Section 3 (4)i	General duties of Ofcom Ofcom must have a regard, in the performance of its duties, to the needs of people with disabilities, insofar as they are relevant to the circumstances.
Section 10	Easily usable equipment Ofcom should take steps to encourage manufacturers to develop domestic electronic communications equipment which is capable of being used with ease, and without modification, by the widest possible range of individuals (including those with disabilities).
Section 21	Advisory Committee for Older and Disabled People Ofcom must establish and maintain a committee to provide advice on the needs of disabled and older citizens.
Section 27	Employment in broadcasting Ofcom should take steps as considered appropriate for promoting the equalisation of opportunities in the employment and training for disabled people in television and radio.
Section 303	Television services for the deaf and visually impaired Ofcom has a duty to draw up and from time to time revise and review a code giving guidance to promote understanding and enjoyment by people who are deaf or hard of hearing; people who are blind or partially sighted; and people with a dual sensory impairment
Section 308	Assistance for the visually impaired with the teletext service In the public teletext service, Ofcom should consider conditions to ensure the inclusion of particular features of this service, so that people with disabilities affecting their sight are able to make use of the service.
Section 310	Code of practice for electronic programme guides Ofcom has a duty to draw up and from time to time review and revise a code giving guidance as to the practices to be followed in the provision of electronic programme guides. The practices required by the code must also include the incorporation of features that will ensure access by people with disabilities affecting their sight or hearing or both.
Section 337	Equal opportunities and training Ofcom requires broadcast license holders to make arrangements for the equalisation of opportunity in employment and training for disabled people.

Internal activities

Diversity Champion

- 2.4 Since Ofcom's formation in 2003, it has undertaken work to progress disability equality and raise awareness of issues across the organisation and amongst the industries it regulates.
- 2.5 In 2006, Ofcom appointed a Diversity Champion at senior management level to lead the agenda within the organisation. The Diversity Champion sits on Ofcom's Executive Committee.
- 2.6 The Diversity Champion has responsibility for disability equality as well as other diversity issues and leads the agenda within the organisation. They will have responsibility for the operational implementation of this DAP.

Diversity Working Group

- 2.7 The Diversity Working Group (DWG) was established to steer the diversity agenda within Ofcom and assist in managing the organisation's approach to equality and diversity. The group also monitors the implementation of the Diversity Action Plan, which includes activity to promote disability equality.
- 2.8 The DWG consists of colleagues from each Ofcom Group and is chaired by Ofcom's Diversity Champion.

Advisory Committee on Older and Disabled People

- 2.9 The Advisory Committee on Older and Disabled People (ACOD) advises Ofcom about the interests and opinions of older and disabled people living in the UK. The remit of the Advisory Committee is to:
 - seek to identify issues affecting the communications sector of interest to disabled and older people, both collectively as a Committee and individually as Members;
 - provide advice to Ofcom about general and specific issues concerning the communications sectors relating to disabled and older people;
 - provide advice and comment as required on matters brought to the Committee by Ofcom;
 - offer comment, as appropriate, on consultations undertaken by Ofcom;
 - where requested by the Content Board, to provide specific advice to that Board on matters relating to television, radio and other content on services regulated by Ofcom;
 - when so requested by the Ofcom Board, to provide advice to the Consumer Panel on matters relating to disabled and older people in the communications sector;
 - provide Ofcom with advice on matters relating to its responsibilities for the promotion of media literacy affecting disabled and older people; and

- to contribute to Ofcom's Annual Report to ensure this reflects Ofcom's work on issues relating to disabled and older people.
- 2.10 ACOD has twelve members who reflect the diversity of disabled and older people and who have a wide range of expertise and interests across all the areas that Ofcom regulates.

Employers' Forum on Disability

- 2.11 The Employers' Forum on Disability (EFD) is the UK's leading employers' organisation focused on disability as it affects business. It is funded and managed by its members. The aim of the forum is to make it easier to recruit and retain disabled employees and to serve disabled customers. Ofcom has been a member of the forum since 2004. Ofcom uses this forum to keep pace with developments which impact on the recruitment and development of disabled colleagues.
- 2.12 Ofcom has joined to the EFD's Disability Standard, enabling it to measure its current performance on disability and what needs to be done to make progress. The standard allows Ofcom to compare its performance against organisations within the communications industry and other employers.

External activities

Equality Scheme for Northern Ireland

- 2.13 Under section 75 of the Northern Ireland Act 1998 (NIA), Ofcom is required to produce an Equality Scheme in relation to its functions in Northern Ireland. Section 75 of the NIA includes an obligation to promote disability equality. In 2005, Ofcom published its Equality Scheme which sets out how the organisation proposes to fulfil its duty to promote equality of opportunity over the next five years until 2010.

Provision of Television Access Services

- 2.14 Ofcom commissioned the Provision of Access Services research to provide the first independent and statistically significant data on the numbers of people who could benefit from television access services (subtitling, signing and audio description), and on those actually making use of them. This provided an important input to Ofcom's review of the Code on Television Access Services, which was published at the end of September 2006.
- 2.15 The Code on Television Access Services sets out the requirements on subtitling, sign language and audio description that apply to television services licensed in accordance with the Communications Act 2003, the Broadcasting Act 1996, or the Broadcasting Act 1990. Ofcom notes that some broadcasters already provide television access services on a voluntary basis, and encourages broadcasters to do so where possible, even if they are not required to do so by this code.
- 2.16 Ofcom requires television service providers to promote awareness of the availability of their television access services to potential users of the services by making available accurate and timely information to electronic programme guide (EPG) operators listing their services, and by providing similar information on their website. Ofcom has imposed corresponding obligations on EPG operators through the code to be made under section 310 of the Act. Broadcasters who provide programme synopses for use in EPGs should indicate which programmes are accompanied by

television access services by including the standard upper-case acronyms for subtitling, audio description and signing.

- 2.17 Each year, a review is carried out to determine which channels have an audience share and income that would justify the provision of access services. From 1 January 2007, some 90 channels will be required to provide access services. These channels account for more than 95% of peak-time viewing.
- 2.18 The research commissioned by Ofcom showed that about 66,000 claimed to have seen a signed programme at least once, and to have a good knowledge of British Sign Language, but indicated that many of these preferred to use subtitling instead. It is likely that on many of the channels with small audiences, signed programmes are being watched by very few people, if any. Following discussion with disability organisations and feedback from access service users, Ofcom believes that the current arrangements for signing on television are not meeting the needs of sign language users, and is discussing with disability organisations and broadcasters whether alternative arrangements would be more appropriate. Ofcom expects to consult on alternative arrangements towards the end of 2006.

European Regulatory Framework Review

- 2.19 The European Regulatory Framework Review re-examines the five electronic communications directives which are intended to unite and harmonise communication regulation throughout the European Community. During its engagement with this review, Ofcom has identified the need to assess the link between the Communications Directive and the Radio and Telecommunications Terminal Equipment Directive, highlighting the relationship between disabled people's access to communications and the need for easily usable equipment.

Universal Service Review

- 2.20 Universal Service Obligations (USO) ensures that basic fixed line services are available at an affordable price to all citizen and customers across the UK. USO services include: special tariff schemes for low income customers; a connection to the fixed network, which includes functional internet access; reasonable geographic access to public call boxes; and the provision of a text relay service for customers with hearing impairment.
- 2.21 In 2006, Ofcom reviewed USO to ensure that the obligations continue to meet the needs of consumers as demands and technology change, find the right balance between the needs of vulnerable customers and changing commercial conditions and make sure the benefits of measures reach those who need them by targeting and creating incentives.
- 2.22 The review has a section specific to the needs of disabled consumers. In this section Ofcom concluded that a Stakeholder Advisory Panel for the relay service should be established and an annual plan and report on the operation of the service published. Ofcom also proposed that other changes to requirements on providers in respect of services for disabled customers should be made. These include extending the scope of customers who can receive bills and contracts in special formats and increasing some accessibility requirements for PCBs. These changes will require changes to the relevant conditions. Ofcom will propose these changes in a separate consultation document shortly. This document will also address legal issues arising from the dispute raised by providers against BT's increase of the connection charge to BT's Text Direct service.

Research

Media Literacy Audit: Report on media literacy of disabled people

- 2.23 In 2006, Ofcom undertook research which looked at how disabled adults and children in the UK access, understand and create electronic communications. In this context, Ofcom's definition of access was much wider than availability or take-up of the platforms. Rather, it focused upon interest, awareness, usage and competence relating to each platform. Understanding relates to how content (such as television and radio programmes, internet websites, or mobile video and text services) is created, funded and regulated.

The Representation and Portrayal of People with Disabilities on Analogue Terrestrial Television

- 2.24 The research was conducted to evaluate the representation of people with disabilities on analogue terrestrial television in terms of the extent of representation and how people with disabilities have been portrayed. The report is of a content analysis of recorded samples of television programmes broadcast in 2004.
- 2.25 The research found that, in 2004, only 12% of sampled programmes (on BBC1, BBC2, ITV, Channel 4 and Five) included representations of people with disabilities. However less than 1 person/character in 100 in the sampled programmes overall had a disability.

Universal Service Obligation: Deaf and Hearing Impaired Consumers and Text Phone Services

- 2.26 This presents the findings from a qualitative study, undertaken in 2004, into the provision of text relay services for deaf and hearing impaired consumers, conducted by MORI Social Research Institute on behalf of Ofcom, the communications regulator.
- 2.27 A text relay service allows text phone users to call phone users (and vice versa) via a third party operator who translates text to speech. A text phone has a keyboard into which messages can be typed and a display screen to read messages. They are used primarily by deaf and speech impaired users and anyone else who is unable to use a standard telephone.
- 2.28 Research was commissioned with members of the deaf and hearing impaired communities, in order to develop understanding about the usage of, attitudes towards, and perceived benefits of text phone services. The aim is to assess the operation of text relay services and gather views on their marketing.

Code on Electronic Programme Guides

- 2.29 This code requires electronic programme guide (EPG) providers to give appropriate prominence for public service channels; provide the features and information needed to enable EPGs to be used by people with disabilities affecting their sight or hearing or both; and secure fair and effective competition. The EPG Code requires EPG providers to:
- Provide easily accessible information on how to identify programmes broadcast with subtitling, signing and audio description services.

- Provide easily accessible information on how to switch on these services.
 - Give 'appropriate prominence' to public service channels such as the BBC, ITV1, Channel 4, S4C, five and teletext and explain their approach to this. As there are different ways which this can be done Ofcom will intervene only if there are complaints, or if it is not content with the way public service channels are displayed;
 - Treat channels listed on their EPGs in a fair, reasonable and non-discriminatory way;
 - Explain their approach to listing other channels on their EPG, and review this approach from time to time.
- 2.30 Ofcom expects EPG providers to consult disability groups and individuals about the way they meet their obligations under the code, which are set out above.
- 2.31 Ofcom intends to review the Code at intervals of no more than two years, or more frequently if circumstances warrant it. As part of the review, it will consult stakeholders, including EPG providers, broadcasters, and disability groups.
- 2.32 This toolkit provides broadcasters with practical ways to promote equality of opportunity (including disability equality) in employment and training within their organisations.

Broadcasters

- 2.33 Ofcom has a legal duty to encourage the promotion of equality of opportunity for disabled people in employment and training within the broadcasters it regulates.
- 2.34 Ofcom encourages broadcasters to monitor their workforces and access to training by disability, gender and race. An annual report from all public service broadcasters providing information on the diversity of their organisations is required by Ofcom and will be published on its website.

Equal Opportunities: A Toolkit for Broadcasters

- 2.35 In 2005, Ofcom produced an equal opportunities toolkit for broadcasters to provide guidance on how to promote equality of opportunity and enhance their recruitment activity.

Engaging with disabled people

- 2.36 Ofcom is committed to carrying out consultation in a meaningful manner in the development of its disability duties. In doing so Ofcom is keen to bring about change for disabled people and it is therefore focussing on the issue of involvement and participation in preparing the Plan.
- 2.37 Specifically Ofcom is keen to seek the views of disabled people in relation to the development of the Plan. To do this Ofcom worked with its Advisory Committee on Older and Disabled People and engaged with disabled consumers through organising involvement session in Belfast.
- 2.38 Ofcom worked with Disability Action, Belfast to ensure that the involvement session was designed to include that disabled people in assisting Ofcom by:

- identifying barriers faced by disabled people in accessing electronic communications and participating in public life in and any barriers they have encountered in relation to their dealings with Ofcom.
 - identifying circumstances in the past in which Ofcom not promoted positive attitudes towards disabled people and by identifying opportunities in the future for the Ofcom to promote such attitudes
 - setting priorities and identifying solutions as regards the taking of remedial action
 - monitoring and reviewing the effectiveness of measures taken
- 2.39 Ofcom NI also organised an all Colleagues Deaf Awareness Day, which was run by John Carberry (who is registered deaf). It was involved in the NI Digital Inclusion Steering Group which had a focus group focusing on disability issues and held a joint Advisory Committee for Northern Ireland and ACOD meeting in Belfast.
- 2.40 Ofcom will also invite the following organisations to discuss their involvement in the development of our Disability Duties:
- Cedar Foundation
 - Disability Action
 - NI Association of Mental Health
 - Mencap
 - PHAB (NI)
 - Royal National Institute for the Blind
 - Royal National Institute for the Deaf
- 2.41 Ofcom will also place press advertisements in local papers to invite disabled consumers views on the priorities set out in this Plan. In addition this draft Plan will be placed on our website, seeking views from individuals and organisations.
- 2.42 Ofcom believes it is important that disabled people are involved in the implementation, monitoring and review of the Plan. Section 9 of this document lays out the actions Ofcom wishes to implement. Ofcom would seek disabled consumers views and comments on these actions and will consider amending them or including additional ones following the comments received.
- 2.43 Ofcom believes that by hosting an annual involvement session that this will allow for a two-way discussion; giving disabled people an opportunity to provide feedback in a constructive manner, as to how we are implementing the disability duties. Prior to the annual meeting Ofcom will allow adequate time for groups and individuals to consult amongst themselves as part of the process of forming a view on the implementation of this scheme. Ofcom will therefore aim to provide information at least one month in advance of the annual meeting.
- 2.44 For all meetings, different formats and facilities available for disabled participants on request. For example, we provide interpreter at meetings and Braille, CD or audiotape copies of meeting papers and consultation documents.

Section 3

Action measures

Who is responsible for the Plan?

- 3.1 Ofcom is committed to the effective implementation of all aspects of the Plan in all parts of its organisation. All Ofcom colleagues are responsible for implementing this Plan. However, the Ofcom Board is ultimately responsible for the delivery of the organisation's statutory responsibilities. Its role is to guide the organisation to ensure that its goals are achieved in the most effective and efficient manner.
- 3.2 Members of Ofcom's boards, panels and advisory committees also have a role to play in helping Ofcom to meet its duty to promote equality for disabled people.
- 3.3 Day to day responsibility for carrying out the policy determined by the Board Members lies with the Chief Executive and he/she will be responsible for the implementation of administrative arrangements to ensure that the disability duties are complied with by Ofcom in carrying out its functions.
- 3.4 Ofcom's Diversity Champion, in conjunction with the Director of Ofcom Northern Ireland will be responsible for the operational implementation of the DAP.

Denis Wolinski
Director
Ofcom Northern Ireland
Landmark House
The Gasworks
Ormeau Road
Belfast
BT7 2JD

Tim Suter
Diversity Champion
Ofcom
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Tel: 028 9041 7500
Fax: 028 9041 7533
Text phone: 020 7981 3043
Email: ofcomnorthernireland@ofcom.org.uk

- 3.5 Ofcom's Diversity Working Group will also work to ensure that effective action is taken to promote disability equality and reduce disadvantage in Northern Ireland.
- 3.6 This DAP is a public document and Ofcom will be answerable to the public for delivering the programme set out in the scheme.

Business planning

- 3.7 As part of its corporate planning process, Ofcom will build objectives and targets relating to the disability duties into corporate and business plans. These will be reflected at all levels of strategic planning within Ofcom, including individual colleague objectives and annual plans.

Annual review and reporting

- 3.8 Ofcom will review progress on the Plan annually and provide a summary of work for inclusion in its Annual Report. This will include details of the evidence used to monitor performance on disability equality, and a summary of what this indicates.
- 3.9 In line with the DDA, a more formal three year review will take place in 2009, with the involvement of disabled people to evaluate Ofcom's work against the goals set within the action plan. Ofcom will also evaluate the content, structure and priorities of the DAP. Particular focus will be placed on whether the priorities are still relevant and appropriate, how successfully disabled people were involved and the way information was gathered and used.

Five year review

- 3.10 Ofcom will carry out a five year review of its plan, in consultation with the Equality Commission for NI.

Ofcom as an employer

- 3.11 Under the NIA (Section 75), Ofcom has a legal duty to promote equality of opportunity for disabled people in employment and training.
- 3.12 Ofcom must make arrangements to gather information on the impact of its policies and practices on the recruitment, development and retention of disabled colleagues. Arrangements need to include:
- a review of applicant numbers, short listed and appointed profiles;
 - types of jobs being undertaken by disabled people, grades/salary levels;
 - training courses attended;
 - career progression;
 - appraisals;
 - disciplinary action;
 - reports of disability harassment (and how resolved);
 - duration of employment;
 - numbers in full or part-time work;
 - numbers leaving giving reasons, including redundancy, dismissal, ill-health, retirement; and
 - analysis of exit interviews for disabled staff (including those taking ill-health retirement).
- 3.13 Similar assessments need to be made, not just of colleagues, but also of Ofcom's Board, independent Consumer Panel and advisory committee members to seek to ensure the participation of disabled people.

- 3.14 Although one in five people in the UK is disabled, just over ten per cent of the UK population is disabled and economically active or seeking employment¹. Currently, 2.2% of Ofcom's colleagues have declared they are disabled. Proportionately, Ofcom's performance in this area is comparable to similar public bodies. For example, the Office of Fair Trading has 2% disability representation, the Cabinet Office 3.6% disabled employees and the Treasury 3%.
- 3.15 When looking at the employment of disabled people, it is essential that Ofcom is clear about its definition of disability. Ofcom's recruitment monitoring form asks individuals whether they consider themselves to meet to the DDA definition of disability but also uses a broader self-identification social model definition.
- 3.16 In considering the workforce profile it is important to note that there may be more disabled people within the organisation who have not declared their status. Non-disclosure may occur for a range of reasons, including where colleagues do not consider themselves to be disabled, do not apply the DDA definition to their circumstances, distance themselves from the label 'disabled', especially for those who may have recently acquired an impairment, and fear of discrimination. Another reason is that many people with impairments or long term health conditions would not describe themselves as 'disabled'.
- 3.17 Ofcom will seek to improve the accuracy of the declaration rate for disabled colleagues through raising awareness of what is defined as a disability under the DDA. Ofcom is committed to offering more support for disabled colleagues through the creation of a disabled colleagues' network if a need for such a group is identified.

Recruitment

- 3.18 Ofcom is committed to building a workforce that reflects wider UK society. Whilst improvement is required, Ofcom is seeking ways to be more creative when attracting and recruiting disabled colleagues into the organisation.
- 3.19 Certain vacancies within Ofcom require the use of specialist agencies. Ofcom is working with recruitment agencies to ensure that they are aware of Ofcom's commitment to diversity and the desire to attract additional talented disabled candidates.

Graduate Recruitment

- 3.20 Approximately 6% of first degree graduates have a disability, representing over 11,500 people². Ofcom will seek to reflect this diversity in its Graduate Recruitment Campaign.

Training

- 3.21 It is essential that all Ofcom colleagues have a good basic knowledge of the DDA and are given specialist knowledge relevant to their work, so that they can carry out their duties in accordance with the general duty of the DDA.
- 3.22 In 2005, Ofcom commenced its diversity training programme. Training sessions included details on disability equality, as well as wider diversity issues. Over the next

¹ Disability Rights Commission, 2005

² Higher Education Statistics Agency, 2006

three years Ofcom will organise a training programme to inform colleagues of their duties under the DDA

Work-Life balance

- 3.23 Ofcom is expanding its Work Life Balance policy to include staggered hours to assist those colleagues whose disability does not allow them to work in the same patterns as their able bodied colleagues. Subscription to this work method will be subject to the business needs of Ofcom.

Employment procedures and policies

- 3.24 Ofcom will review procedures and policies to seek to create an environment which is designed actively to minimise barriers to employment and progression for disabled people. Ofcom strives to ensure that appropriate reasonable adjustments are made and in place and will provide advice and information to disabled colleagues and line managers on the NIA (S75) and DAP and available support.

Action measures

- 3.25 This action plan outlines the agreed measures on equality for disabled people as it relates to Ofcom's role as the UK's electronic communications regulator and as an employer in Northern Ireland. The priorities identified during the involvement process are aligned to Ofcom's aims and activities identified in its Annual Plan to ensure that actions to address disability equality are part of its daily activities.
- 3.26 Progress on the disability action plan will be reviewed and reported annually. Ofcom will monitor the actions that have been identified for each year; what has been achieved and where there has been slippage or no progress has been made, understand the reasons for this and revise timescales. New actions might be included depending on developments within the electronics communication industry and any changes in priorities that might be identified subsequent to the publication of this action plan.
- 3.27 For further information on the DAP priority areas, please go to annex 2 of this document.

Disability duty: Promote positive attitudes towards disabled people			
DAP Priority Area	Action / Project Description	Year	Performance Indicators
Information Services and complaints	As part of the Consumer Complaints Review, assess to what extent disabled consumers are able to access complaint systems and their knowledge of their rights.	2008	<ul style="list-style-type: none"> Information on trends and issues related to disabled people will be used to improve access to communications.
Access	Modernise the field force teams and improve delivery, governance and quality of service to disabled citizens.	Ongoing	
Media literacy	Promote media literacy through dialogue with disabled stakeholders.	Ongoing	
	Seed fund Sky to produce weekly news programme for people with learning disabilities to promote media literacy amongst this group	2007	
	Carry out a second survey to identify trends and issues related to disabled citizens and the availability, take-up and consumption of communications services.	2009	
Content and standards (portrayal)	Ensure that generally accepted standards are applied to the contents of TV and radio services so as to provide adequate protection for members of the public from the inclusion of offensive and harmful material. These generally accepted standards would include the portrayal of disabled people and other groups in society.	Ongoing	
Content and standards (Public Service Broadcasting)	Ensure that - among other criteria - Public Service Broadcasting services include what appears to Ofcom to be a sufficient quantity of programmes that reflect the lives and concerns of different communities,	2006	

	cultural interests and traditions (including disabled people) within the UK and locally in different parts of the UK.		
Participation and consultation	Undertake disability impact assessment on policies relevant to disability equality	2007-2009	
Disability duty: Encourage participation by disabled people in public life			
DAP Priority Area	Action / Project Description	Year	Performance Indicators
Information services and complaints	Clarify the way in which the communications industry serves the interests of disabled citizens	2007	<ul style="list-style-type: none"> Disability Equality Impact Assessments are part of Ofcom's Regulatory Impact Assessment process Improvements in audio description and subtitling services for programmes broadcast in the UK, including Northern Ireland. A review is being undertaken of Ofcom's recruitment processes to remove barriers to employment within the organisation by disabled people. A review of the applications by disabled people for the Advisory Committee for Northern Ireland.
	Seek to ensure the Ofcom website conforms to best practice accessibility guidelines.	Ongoing	
	Respond appropriately to requests for alternative formats resulting from enquiries from disabled citizens and consumers (via letter, email and Ofcom's website) in relation to broadcasting, licensing, digital TV switchover, telecoms and spectrum.	Ongoing	
Access	Review communications networks and services and assess the barriers to access and inclusion, which will include use of services by disabled consumers.	2007	
	Ensure broadcasters meet their obligations with respect to subtitling, signing and audio description.	Ongoing	
	Promote greater awareness of audio description amongst potential users.		
	Encourage the availability of easily usable apparatus for communications services.	2007	
	Ensure that forthcoming EU Communications Framework Review facilitates specific actions on access including addressing access issues for disabled consumers.	2007-2008	
	Encourage manufacturers to develop domestic electronic communications equipment which is capable of being used with ease, and without modification, by the widest possible range of individuals, including those with disabilities.	2007-2009	
	Oversee Ofcom's role in the planning and implementation of digital TV switchover, including monitoring disabled consumer issues relating to switchover (including liaison with ACOD); publishing research on specific switchover-related issues during the course of the year; and ensuring that	2007-2009	

	work is co-ordinated effectively with Digital UK, the Government and other stakeholders.	
	Evaluate the impact of the BT Undertakings, including the effect this will have on disabled citizens, in particular whether the expected benefits for consumers materialise.	2007
	Ensure Voice Over Internet Protocol services policy takes into account the needs of disabled consumers.	2008
	Make all publications available in alternative formats and languages upon request and free of charge.	Ongoing
Content and standards (portrayal)	Ensure that the development of the revised EU Directive on TV and other audio-visual content reflects Ofcom's diversity aspirations and those of its disabled stakeholders	Ongoing
Participation and consultation	Embed disability equality into Ofcom's approach to impact assessments in order to improve policy decisions.	2007
Employment and training	Be more creative and pro-active in recruiting and developing disabled colleagues	Ongoing
	Improve the accuracy of the declaration rate for disabled colleagues by raising awareness of what is defined as a disability under the DDA	2007
	Encourage a best-practice approach to equal opportunities in the broadcasting sector. Ensure broadcasters make arrangements for promoting disability equality in employment and training.	Ongoing
	Continue to recruit more disabled people to Ofcom's decision making boards	2008
	Support for the Advisory Committee on Older and Disabled People	Ongoing
	Ensure colleagues receive the appropriate training on their duties under the DDA	2007-2008
Procurement	Seek to ensure that the companies Ofcom buys its goods and services from have equal opportunities policies that include disability equality.	2007

Section 4

Functions

- 4.1 Ofcom is the regulator for the UK communications industries, with responsibilities across television, radio, telecommunications and wireless communications services. It is independent of Government but accountable to Parliament.
- 4.2 Ofcom's sponsoring Departments of State are the Department of Trade and Industry and the Department for Culture, Media and Sport.
- 4.3 Ofcom was set up, and its powers and duties are provided for, under the Communications Act 2003. Its principal statutory duty in carrying out its function is to:
 - a) further the interests of citizens in relation to electronic communication matters;
 - b) further the interests of consumers in relevant markets, where appropriate by promoting competition.
- 4.4 Ofcom's main office is located in London; it has, in addition, National offices in Wales, Scotland and Northern Ireland and a network of field operations colleagues across the UK.

Ofcom's duties to promote equality of opportunity

Ofcom's general duties

- 4.5 Under the Communications Act 2003, Ofcom has specific responsibilities for the promotion of disability equality. Under Section 3 (4i) of the Act, in the performance of its duties, Ofcom must have regard to the needs of persons with disabilities, of the elderly and of those on low incomes.

Employment and training

- 4.6 Under Sections 27 and 337 of the Act, Ofcom is required to promote equality of opportunity in employment and training for disabled people, and other equality groups, in television and radio.

Fair access to services

- 4.7 Under Sections 303, 308 and 309 of the Act Ofcom has duties that cover drawing up a code giving guidance to promote enjoyment of television by people who are deaf, visually impaired or both; ensure the inclusion of assistance for the visually impaired with the teletext service; and draw up a code of practice for electronic programme guides.

Ofcom's Aims and Activities

- 4.8 Ofcom has many duties, from protecting viewers and listeners against offensive material to ensuring the optimal use of the radio spectrum. Ofcom also has an important role in enforcing consumer law, which means protecting consumers against mis-selling and other harmful conduct. In its role as a competition authority, Ofcom aims to make markets work better by tackling and deterring anti-competitive behaviour.

4.9 Ofcom's aim is to ensure that regulation encourages convergence, and that citizens and consumers enjoy the benefits. Convergence means the ability of consumers to obtain more services on a single platform or device - or obtain any given service on multiple platforms and devices.

4.10 The five key areas of Ofcom's strategic framework over the next three years are:

- **Driving forward a market-based approach to spectrum** - Ofcom will drive forward the implementation of our Spectrum Framework Review. This programme of spectrum liberalisation will enable spectrum to be used in more flexible ways. Ofcom will promote the development of spectrum trading because it believes that the market, rather than the regulator, should determine the best use of spectrum.
- **Promoting competition and innovation in converging markets** - Ofcom will continue to promote competition in telecoms and broadcasting by, for example, implementing its Strategic Review of Telecoms. At the same time, as the transition to next generation networks occurs, Ofcom will need to ensure that consumers continue to benefit from competition and that there are incentives for efficient investment in network upgrades.
- **Delivering public outcomes as platforms and services converge** - Ofcom will need to ensure that as platforms and services converge, key public outcomes continue to be delivered. This will involve reviewing its approach to content regulation in the light of increasing convergence. Ofcom will be looking at the rules which protect listeners and viewers (from, for example, harm and offence) and will consider what mechanisms will be needed to sustain the supply of high-quality content of public value. Ofcom will also promote access to the communications services needed to participate in society, recognising that its role will often be to engage with the Government rather than pursuing solutions directly. A key part of this will be to consider which services should be available more widely, how they can be made more accessible, and how they should be funded.
- **Improving compliance and empowering consumers** - Over the next three years, Ofcom will also focus on improving compliance by the businesses it regulates, and on empowering consumers. It will promote greater understanding of the tools and knowledge that consumers need to benefit from communications services, with increased communications capability, including media literacy, being a key objective. Alongside this Ofcom will focus on protecting consumers from harmful activities, such as scams, mis-selling and illegal broadcasting. It will also concentrate on enabling consumers to switch easily and quickly to new providers, making sure the processes are in place to minimise disruption.
- **Moving towards more consistent legal and economic frameworks** - Another important part of Ofcom's work over the next three years will be to examine where it is desirable to move towards greater consistency between the legal and economic frameworks which govern different platforms. In doing this, Ofcom will take into account the constraints imposed by existing legislation, as well as starting a debate about how legislation might be updated. There is an important European dimension to this work because, to a large extent, Europe is where the regulatory framework for communications is determined.

List of key functions

- 4.11 On an average day, Ofcom provides a wide range of important services to around 2,500 stakeholders, involving about 250 of Ofcom's staff.

Dealing with enquiries and complaints from the public

- 4.12 Ofcom's Contact Centre deals with enquiries and complaints from consumers about telecommunications services, TV and radio services, and use of the radio spectrum. Every month we receive around 15,000 phone calls, 5,600 messages via our website, 1,000 emails and 1,550 letters and faxes.

Allocating telephone number ranges to service providers

- 4.13 7.9 Ofcom plays an important role in allocating telephone number ranges to communications service providers who, in turn, allocate individual numbers to their customers. The number of applications received from service providers has grown steadily in recent years, exceeding 2,000 for the first time in 2005.

Licensing access to the radio spectrum

- 4.14 Ofcom licenses access to the radio spectrum by issuing, renewing and revoking licences. Where necessary we make frequency assignments, perform site clearances and co-ordinate the use of spectrum internationally. Although our work to simplify spectrum licensing will result in us issuing fewer licences, spectrum licensing will still be a significant activity.

Keeping the radio spectrum free of interference

- 4.15 Ofcom monitors the radio spectrum and takes action to prevent spectrum interference.

Providing information services

- 4.16 Ofcom provides the information services which underpin delivery of services to stakeholders, such as enabling the move towards increasing online access to services.

Publishing market research and communications market reports

- 4.17 Ofcom publishes market research on the attitudes of citizens and consumers, including vulnerable groups. We also publish reports on developments in the communications sector, including an annual report on the communications market and reports on the different Nations and Regions of the UK.

Providing information to consumers via our website

- 4.18 Via its website, Ofcom provides information to consumers by issuing, for example, alerts about scams to which they may be exposed.

Section 5

Public life positions over which Ofcom has responsibility

5.1 Ofcom has responsibility over the following public life positions:

Ofcom Board

5.2 The Ofcom Board provides strategic direction for Ofcom. The Board consists of up to 10 members including the Chairman and other non-executive members appointed by the Secretary of State, the Chief Executive and other executive members appointment from amongst Ofcom's employees. Executive

Ofcom Board Committees

Content Board

5.3 The Content Board is a committee of the main Ofcom Board. It has delegated and advisory responsibility for a wide range of content issues, predominantly dealing with broadcasting.

Consumer Panel

5.4 The Consumer Panel is independent of Ofcom. It was established to advise Ofcom on consumer interests in the markets regulated by Ofcom. It has a specific remit to inform Ofcom on consumer issues, specifically those of people with disabilities, older people, rural customers and those on low income or who are otherwise disadvantaged.

Community Radio Fund Panel

5.5 Section 359 of the Communications Act 2003 makes it possible for a fund for community radio operators to be set up, and for Ofcom to administer it and “make such grants as they consider appropriate” to community radio licensees.

Content Standards Committee

5.6 A sub-committee of the main Board, the Content Sanctions Committee discharges Ofcom's functions in relation to content or content-based cases in broadcasting which are recommended to it by the Ofcom Executive for the consideration of statutory sanctions.

Radio Licensing Committee

5.7 The Radio Licensing Committee has delegated authority from the Ofcom Board to discharge Ofcom's functions in relation to radio (sound) broadcasting licensing.

Fairness Committee

5.8 A sub-committee of the main Board, the Fairness Committee discharges Ofcom's functions in relation to fairness and privacy complaints in broadcasting.

Election Committee

- 5.9 A sub-committee of the main Board, the Election Committee considers disputes about the allocation, scheduling or duration of Party Election Broadcasts on radio and television and, where appropriate, the application of impartiality rules.

Audit Committee

- 5.10 Under its independent Chair, monitors and reviews on behalf of the Board the effectiveness of Ofcom's systems of internal control and the integrity of Ofcom's accounts and reports, as well as overseeing Ofcom's internal and external audits.

Remuneration Committee

- 5.11 A sub-committee of the main Board, the Remuneration Committee advises Ofcom on the remuneration and terms and conditions of Members of the Executive Committee and oversees the process for determining the terms and conditions of other Ofcom colleagues.

The Non-Executive Member Remuneration Committee

- 5.12 A sub-committee of the main Board, the Committee reviews the fees and remuneration of the Non-Executive Members of the Ofcom Board and makes recommendations on such remuneration to the Department of Trade and Industry and the Department of Culture, Media and Sport. Advisory Committees

Advisory Committees

Ofcom Consumer Panel

- 5.13 The Consumer Panel is independent of Ofcom. It was established to advise Ofcom on consumer interests in the markets regulated by Ofcom. It has a specific remit to inform Ofcom on consumer issues, specifically those of people with disabilities, older people, rural customers and those on low income or who are otherwise disadvantaged.

Advisory Committee on Older and Disabled People

- 5.14 This is one of Ofcom's five statutory advisory committees. The committee has a direct reporting line to Ofcom's main Board and can advise on issues across Ofcom's remit as well as Ofcom's internal policies and procedures.

Advisory Committees for the Nations

- 5.15 Separate advisory committees for the Nations on the whole breadth of its communications responsibilities in Scotland, Wales, Northern Ireland and for the English Regions

Ofcom Spectrum Advisory Board

- 5.16 Provides Ofcom with independent advice on strategic spectrum management issues.

Annex 1

Internal arrangements

The Ofcom Board

- A1.1 Ofcom's Board consists of 10 members appointed by the Secretary of State. The Ofcom Board meets twice a month (with the exception of August). Agendas and notes of meetings are published regularly on Ofcom's website.
- A1.2 The Board is chaired by Lord Currie of Marylebone. Its membership is published. There are up to nine additional members including the Chief Executive of Ofcom and three members from the Ofcom Executive.
- A1.3 The Board has a central governance function, with oversight over the fulfilment of Ofcom's general duties and specific statutory responsibilities as well as its adherence to the ethos of a public service organisation. The Board also has oversight of Ofcom's overall funding and expenditure. It has the following committees:
- Community Radio Fund Panel
 - Remuneration Committee
 - Audit Committee
 - The Election Committee
 - The Non-Executive Member Remuneration Committee
 - The Content Sanctions Committee
 - The Fairness Committee
 - The Radio Licensing Committee is a delegated authority.
- A1.4 The Board acts on a collective basis. As the body charged with governing Ofcom's strategic direction, the Board has agreed that its members will abide by the following principles:
- The Board will operate on the principles of collective responsibility, support and respect.
 - Board members should have access to all the information necessary to ensure vigorous debate and effective decision-making.
 - In all situations, all Board members will be deemed to have agreed with all decisions.
 - External pressure will not alter Board processes except for potential timelines.
 - Board members' behaviour in response to decisions is required to be the same inside and outside Ofcom.

- Minority views will not be made public internally or externally.
- Nominated Board members (other than those who disagreed with a decision) may be required to explain and articulate specific decisions.
- If a Board member resigns he or she may state the basis for the disagreement, but may not publicly rehearse the arguments of other Board members.

A1.5 Supporting the Board and its committees are the various Groups within Ofcom.

The Ofcom Executive

A1.6 The Chief Executive oversees the work of Ofcom's operational Groups through the Ofcom Executive, which together with the Board creates the organisation's corporate governance structure.

A1.7 The Ofcom Executive, headed by the Chief Executive, is the senior management team responsible for running Ofcom.

A1.8 The core focus of the Ofcom Executive is on setting direction for the organisation, financial and administrative decision-taking (or review prior to Ofcom Board/sub-committee consideration), and monitoring; its policy-making responsibilities are limited to management policy only. The Ofcom Executive is also responsible for ensuring top level read-across between the different groups within Ofcom, including areas of overlap between the Operations and Policy areas.

A1.9 The Ofcom Executive receives regular management information, including updates from each business area, it reviews Ofcom Board agendas, and considers issues of external presentation (such as public statements, policy or case handling, media and stakeholder events) and internal communication.

Ofcom's structure

A1.10 Ofcom has eight Groups, each of which is headed by a Senior Partner:

- **CEO Group** - provides support and guidance to the Chief Executive, Chairman and the Ofcom Board; it is also responsible for all of Ofcom's publications and for internal communications.
- **Content and Standards** - is concerned with broadcasting standards regulation, public service television broadcasting, radio format delivery, radio planning and licensing, media literacy and future platforms for the delivery of content, and the implications for regulation.
- **Legal, International, Nations and Regions and Secretariat** - provides legal advice (excluding employment) across all of Ofcom, co-ordinates Ofcom's international activities, including meetings with overseas regulators and Governments and also provides support for the national offices, committee administration and governance for Ofcom and its Boards and Committees
- **Technology and Spectrum Operations** - assesses the impact of technology developments, keeps the spectrum free from interference, enforces against illegal use of the spectrum (pirate radio) and responsible for allocating telephone numbers to communication providers

- **Strategy and Market Developments** - aims to ensure that Ofcom has a clear, consistent and coherent approach to regulating the communications sector.
- **Organisational Planning and Development** - brings together key support teams within Ofcom to provide integrated support and advice to the Board, the Executive and to Groups within Ofcom.
- **Spectrum Policy Group** - is responsible for developing and implementing all aspects of spectrum policy. The Group sets the framework for use of spectrum by all types of UK users, negotiates for the UK internationally and licenses thousands of users
- **Competition Policy Group** - is responsible for managing Ofcom's economic regulation and competition policy work in communications markets, for the benefit of citizen-consumers

Annex 2

Ofcom's disability equality priorities

A2.1 After discussions with, and research amongst disabled people in Belfast and the rest of the UK, as well as colleagues at Ofcom, Ofcom has identified seven priorities.

Access

A2.2 There are issues around access to communications for disabled people, particularly with regard to the universal service review in telecoms and access to television, especially the preparations for digital switchover.

A2.3 In the run up to digital switchover, the delivery of access services over digital platforms remains a potential area of concern. Disabled people need to receive timely advice on accessible digital equipment and support during the switchover process.

A2.4 Audio description and subtitling are the key ways in which people with visual or hearing impairments can access television. In its Code on Television Access Services, Ofcom has stated that it expects broadcasters to use reasonable endeavours to ensure that the subtitling, signing and audio description accompanying the programmes included in their services is made available to the greatest number of viewers.

A2.5 The accessibility of electronic programme guides (EPGS) to blind people and those with visual impairments is an ongoing issue. Ofcom's work on electronic programme guides will ensure statutory obligations on accessibility features for people with hearing and visual impairments are effectively implemented.

A2.6 Access to communications services can be particularly difficult for those on low incomes, which includes a disproportionate number of disabled people. As a consequence, sections of society risk being excluded from accessing certain services based largely on their cost.

A2.7 According to the Broadcasting and Creative Industries Disability Network, there is also a growing desire among disabled people to access the media - in studio audiences, in creative roles such as acting, writing and directing, as game show contestants and as programme contributors as well as in corporate positions such as in accounting, legal services, marketing and senior management.

Equipment

A2.8 The design of equipment and its ease of use is an issue of particular importance affecting disabled people's access to electronic communications. Equipment can sometimes create barriers to participation by disabled people. For example, many of the latest mobile phones are not compatible with induction loops and do not come with textphone software as standard; some digital television receiver boxes may be harder to set up than others and may not be compatible with disability access services provided by broadcasters.

A2.9 Ofcom has a duty under the Communications Act to encourage the design and development of communications equipment that are easy for the widest range of

consumers (including disabled people) to use. Ofcom is already engaged in a wide range of activities including research into the usability of digital television receiver equipment. The report includes good practice design checklists for easy to use and easy to set-up domestic digital television equipment.

Media literacy

- A2.10 Electronic communications networks play a central role in daily life. They underpin all businesses and are central to the workings of a modern democracy. Ofcom's definition of media literacy, developed after formal consultation with stakeholders, is 'the ability to access, understand and create communications in a variety of contexts'. Media literacy gives people the confidence and knowledge to get the most out of the many media platforms that now exist.
- A2.11 When compared to all adults, disabled people have lower levels of competence in using electronic media. The greatest difference in levels of competence relates to the internet, where the measure for adults with a disability is at 68% of the maximum potential, compared to 76% for the wider population.
- A2.12 Relatively few mobile phone owners with a disability - 15% - demonstrate knowledge of the content controls available on the most recent mobile phones. This measure is at almost the same level all mobile phone owners, with only 17% aware of the availability of these relatively new controls.
- A2.13 The measures relating to content creation are internet and PC-based. Current levels of content creation amongst disabled people aged under 65 with internet access are low, at 10% of the maximum potential. This measure is lower than that of the equivalent age group of all UK adults with internet access (15%).
- A2.14 Ofcom will work with stakeholders to help focus on the present and future media literacy needs of all members of society. There are many stakeholders who have a key role to play in the promotion of media literacy skills, knowledge and understanding in both adults and children. These include content producers, broadcasters, platform and network providers, educators, Government departments, parents, children's charities and other organisations. Ofcom's principal role will be to help provide leadership and leverage in the promotion of media literacy.

Content and standards

- A2.15 The way disabled people are portrayed in broadcast media is a significant influencing factor in determining public attitudes towards disabled individuals, how disabled people feel about themselves and whether they feel included in society.
- A2.16 ACOD has raised concerns about the portrayal (or lack) of disabled people on radio and television. Furthermore, the committee felt that people with learning disabilities and those with mental health issues are particularly subject to negative portrayal in broadcast media when they do appear.
- A2.17 According to Ofcom's research³, perceived hurdles to inclusion include society's attitudinal bias towards physical attractiveness, leading to the rejection of groups with disabilities. Findings indicate that 46% of those who reported negative attitudes

³ The Representation and Portrayal of Disabled People With Disabilities on Analogue Terrestrial Television, Ofcom, 2005

towards disabled people had their view influenced by what they had seen on television.

- A2.18 Use of derogatory terms for disabled people can amount to a breach of the Ofcom Broadcasting Code. Ofcom will continue to enforce content regulation rules regarding the portrayal of disabled people on television and radio. It will ensure that that generally accepted standards are applied to the content of TV and radio services so as to provide adequate protection for members of the public from the inclusion of offensive and harmful material.

Information services and complaints

- A2.19 One of the barriers for disabled people accessing Ofcom's services can be a lack of clear and appropriate information. All citizens and consumers have the right to access and understand full, accurate and timely information. The provision of appropriate communication support to users of public services is an issue of equality of opportunity. It helps remove discriminatory barriers to full participation in society.
- A2.20 In addition to its spectrum management responsibilities, one of Ofcom's main public roles is the investigation of complaints about television, radio and telecommunications provision. To deliver this service effectively Ofcom needs to ensure that it provides information in a manner which is accessible to the UK public, including disabled citizens.

Participation and consultation

- A2.21 Ofcom's statutory committees and boards have relatively limited disability representation when compared to the working population at large. In order to ensure the needs and concerns of disabled consumers fully inform its decision making process, Ofcom is actively seeking to recruit further disabled members to these committees and boards.
- A2.22 Ofcom understands that disabled people may have taken a different education path or had career breaks, which represent a career profile different from the norm. Ofcom will take this into account when selecting disabled members to its committees and boards.
- A2.23 In developing policy that may affect disabled people, Ofcom has a duty to engage and consult with this community. Ofcom carries out periodic wider consultation with disability consumer groups on issues of concern to them.

Employment and training in the communications industry

- A2.24 Disabled people continue to face disadvantage and discrimination in employment. In 2005, the employment rate of disabled people was 47%, compared to 75% for wider UK society⁴. Research indicates that disabled people of all ages are significantly under-represented in the media workforce either as part of the programme-making process or in other roles.
- A2.25 For disabled people with associated health issues there might be difficulties in accessing employment opportunities because of gaps in their employment history.

⁴ Public Service Agreements 8b and c, Department for Work and Pensions, 2006

Many disabled people do not have conventional career paths and this can be detrimental to their efforts to secure employment.

- A2.26 The Workforce Census conducted by Skillset⁵ in 2004 of 2,878 companies in the sector indicated that only 1.3% of people working in broadcasting are disabled (this represents a slight increase from 1% in 2002). The 2005 Skillset Survey of 7,000 individuals working in the audio visual industries (both employees and freelancers) also indicated that employers underestimate the number of disabled people, since 5% of this workforce reported having a disability⁶. Even so, the Disability Rights Commission estimate that 13% of disabled people of working age are in employment, so the broadcasting sector is well below the national average.

Procurement

- A2.27 Procurement is a key area where one organisation can influence another's diversity practice and ensure that services delivered equitably. Over the past decade, it has become the norm for companies are to outsource some of their functions to contract other organisations to deliver services. Procurement policy, therefore, provides an opportunity to encourage other companies to adopt policies which promote equality of opportunity.
- A2.28 Ofcom shall seek to ensure that all suppliers it uses have an equal opportunities policy or statement that includes disability equality.
- A2.29 The EU Public Procurement Directive, implemented in UK law in January 2006, introduced a new provision allowing contracting authorities like Ofcom to reserve contracts for supported factories and businesses (those which have at least 50% disabled employees). This is a further option for Ofcom to promote disability equality through its procurement practice. In addition to reserving contracts, Ofcom can try to ensure that there are no barriers to the participation of supported businesses in procurement exercises more generally, in competition with other suppliers and service providers.

⁵ The Workforce Census, Skillset, 2004

⁶ Workforce Survey, Skillset, 2005

Annex 3

How to contact Ofcom

A3.1 If you are a consumer, viewer or listener and you want to complain to Ofcom, you can make contact through the website at **www.ofcom.org.uk**.

A3.2 You can also contact Ofcom by phone between 9:00am and 5:30pm, Monday to Friday. The number for the Ofcom Contact Centre is **020 7981 3040**.

A3.3 If you are deaf or speech-impaired, you can use the Text phone number **020 7981 3043**. Please note that this number only works with special equipment used by people who are deaf or hard of hearing.

A3.4 The fax number is **020 7981 3334**

A3.5 Ofcom handles complaints about the following:

- Problems with your landline phone
 - Phone bill, tariff and contract issues
 - Privacy issues - nuisance and sales calls
 - Customer service issues
 - Problems or delays with repairs
- Problems with your mobile phone
 - Phone bill, tariff and contract issues
 - Privacy issues - nuisance and sales calls
 - Customer service issues
- Problems with your internet service
 - Internet service bill & contract issues
 - Privacy issues - spam emails
 - Customer service issues
 - Problems switching between internet service providers
 - Quality of internet service - e.g speed
- Programmes on TV/radio
 - A specific programme
 - Subtitling, signing or audio description

- Scheduling
- Advertising and sponsorship on TV/radio
 - A specific advert
 - Sponsorship and product placement
- Digital TV/radio availability
- TV/radio interference and reception
 - TV interference or reception problems
 - Radio interference/reception problems
 - Interference to Ofcom radio communications licensed services
 - Digital TV/radio availability
- Complaints about Ofcom
 - Ofcom does its best to meet the needs of businesses, consumers, viewers and listeners. However, sometimes things can go wrong - or Ofcom can fall short of its own standards. A complaint about Ofcom can be made through the website or by phoning the Contact Centre.

Important note about Data Protection

A3.6 Ofcom complies with the Data Protection Act. If you are making a complaint Ofcom may pass on your details, as appropriate, for the purposes of dealing with your complaint.

Annex 4

Responding to this consultation

How to respond

- A4.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 26 June 2006**.
- A4.2 Ofcom strongly prefers to receive responses using the online web form at <http://www.ofcom.org.uk/about/cad/disni/howtorespond/form>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A4.3 For larger consultation responses - particularly those with supporting charts, tables or other data - please email ofcomnorthernireland@ofcom.org.uk attaching your response in Microsoft Word format, together with a consultation response coversheet.

Responses may alternatively be posted or faxed to the address below, marked with the title of the consultation.

Lila Truesdale
Ofcom Northern Ireland
Landmark House
The Gasworks
Ormeau Road
Belfast
BT7 2JD

Fax: 028 9041 7533

- A4.4 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.

Confidentiality

- A4.5 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.
- A4.6 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A4.7 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual

property rights is explained further on its website at <http://www.ofcom.org.uk/about/accoun/disclaimer/>

Ofcom's consultation processes

- A4.8 Ofcom seeks to ensure that responding to a consultation is easy as possible. For more information please see our consultation principles in Annex 2.
- A4.9 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A4.10 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash
Ofcom
Sutherland House
149 St. Vincent Street
Glasgow G2 5NW

Tel: 0141 229 7401
Fax: 0141 229 7433

Email vicki.nash@ofcom.org.uk

- A4.11 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: http://www.ofcom.org.uk/static/subscribe/select_list.htm

Annex 5

Ofcom's consultation principles

A5.1 Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

A5.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

A5.3 We will be clear about who we are consulting, why, on what questions and for how long.

A5.4 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened version for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

A5.5 We will normally allow ten weeks for responses to consultations on issues of general interest.

A5.6 There will be a person within Ofcom who will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organizations interested in the outcome of our decisions. This individual (who we call the consultation champion) will also be the main person to contact with views on the way we run our consultations.

A5.7 If we are not able to follow one of these principles, we will explain why. This may be because a particular issue is urgent. If we need to reduce the amount of time we have set aside for a consultation, we will let those concerned know beforehand that this is a 'red flag consultation' which needs their urgent attention.

After the consultation

A5.8 We will look at each response carefully and with an open mind. We will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 6

Consultation response cover sheet

- A6.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A6.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A6.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A6.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the 'Consultations' section of our website at www.ofcom.org.uk/consult/.
- A6.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing	<input type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)