



Television access services report 2014

Statement

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About this document

Under the 2003 Communications Act, certain television broadcasters licensed by Ofcom are required to provide a proportion of their programming with access services (subtitling, signing and audio description). This statement reports on the level of provision achieved by these channels in 2014.

Section 1

Television access services report 2014

Introduction

- 1.1 Under the 2003 Communications Act, television broadcasters are required to deliver a certain proportion of their programmes with subtitles, signing and audio description to ensure those with hearing and visual impairments can understand and enjoy television programmes.
- 1.2 Ofcom has a duty to ensure that compliance of these requirements is met and consequently reports on this twice a year. The first bi-annual report for 2014 on the provision of access services, published in November 2014, presented the cumulative position from January to June 2014.
- 1.3 This final report for 2014 on the provision of television access services by broadcasters shows the cumulative position from January to December 2014.

Statutory Requirements

- 1.4 Until the Communications Act 2003 (“the Act”) came into force, access service obligations were limited to public service channels (BBC1, BBC2, Channel 3, Channel 4 and Channel 5) and digital terrestrial television (DTT) channels. The new legislation broadened obligations to include cable and satellite channels.
- 1.5 Under Sections 303 to 305 of the Act, Ofcom is required to draw up and maintain a code that sets specific targets for the provision of access services by commercial services from the tenth anniversary of their relevant date. Broadly speaking, this means the date the Act entered into force for channels in existence at the time, and for newer channels, the date they began broadcasting.
- 1.6 There are parallel obligations on BBC channels to comply with this Code in the agreement between the Secretary of State for Culture, Media and Sports, and the BBC.
- 1.7 The legislation allows Ofcom to set interim targets and, in the case of subtitling, requires those channels required to provide access services to subtitle a minimum of 60% of their programming after five years.

Ofcom’s Code on Television Access Services

- 1.8 Ofcom’s Code on Television Access Services¹ sets out the criteria for determining which channels should provide access services, and what targets they should meet.
- 1.9 Channels are selected on the basis of the benefits they would deliver to the audience, subject to being able to afford to provide access services. For those purposes, domestic channels with an audience share (all UK households, all times) of 0.05% are required to provide access services, unless there are technical reasons why this would not be practicable, and subject to their ability to afford the assessed cost by paying up to 1% of their relevant turnover.

¹ <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/tv-access-services/>

- 1.10 As of 2014, certain non-domestic channels licensed by Ofcom have been required to provide access services. For non-domestic channels, the audience share threshold is the average audience share in the relevant EU Member State or States where the service is received over a 12 month period as indicated in Annex 2 of Ofcom's Code on Television Access Services².
- 1.11 The targets that most domestic channels must meet are set out in the table below. They date from the anniversary of the 'relevant date' for each channel, which in most cases is the date the legislation entered into force at the end of 2003. If a channel is required to provide access services then the targets they must meet are expressed as percentage of their services. These targets rise from a low level to the ten-year targets prescribed by the Act which are 80% for subtitling, 5% for signing and 10% for audio description. In setting targets for audio description, Ofcom used its powers to accelerate implementation of the maximum statutory target (10%) so that it was reached on the fifth anniversary or the relevant date, rather than the tenth anniversary.
- 1.12 Some public service channels are required to meet higher targets for subtitling – 90% in the case of Channel 3 (ITV, STV and UTV) and Channel 4. The targets for the BBC are to subtitle 100% of their programme content, audio describe 10% of their programme content (except in the case of BBC News), and sign 5% of their content. Because of its low audience share, BBC Parliament is exempted from the requirements although some access services are provided on a voluntary basis.
- 1.13 The following table sets out the targets in full for non-public service channels.

Figure 1: Targets applicable to non-public service channels

Anniversary of relevant date	Subtitling	Audio Description	Signing
First	10%	2%	1%
Second	10%	4%	1%
Third	35%	6%	2%
Fourth	60%	8%	2%
Fifth	60%	10%	3%
Sixth	70%	10%	3%
Seventh	70%	10%	4%
Eighth	70%	10%	4%
Ninth	70%	10%	4%
Tenth	80%	10%	5%

- 1.14 If the assessed cost of compliance for a channel with all the targets (Level One) would be more than 1% of the relevant turnover, its subtitling obligations (but not those for signing and audio description) are reduced by one third (Level Two). If that fails to bring estimated expenditure below 1% of relevant turnover, the channel's subtitling obligations may be reduced by two thirds (Level Three). If, despite this, Ofcom's assessment shows that it could not afford the reduced obligations by spending no more than 1% of relevant turnover, the channel will be exempted from providing access services altogether.

² <http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/tv-access-services-2013.pdf>

Television Access Services 2014 – Domestic Channels

- 1.15 As noted in previous reports, a number of broadcasters have voluntarily committed to delivering 20% audio description on all or most of their channels, even though the statutory obligation is only to deliver 10% (or less in the case of channels that are less than five years old). This includes ITV, Channel 4 and Sky. The BBC also committed to increasing its audio description targets in 2% annual increments from 2011 onwards. In 2014, this increase was completed with a minimum of 20% audio description being provided on each service. Ofcom is also pleased to note that many other broadcasters have delivered significantly more audio description than they were required to do.
- 1.16 Channels with an audience share between 0.05% and 1% have the option either to broadcast 30 minutes of sign-presented programming each month or to participate in Ofcom-approved alternative arrangements that contribute to the availability of sign-presented programming. Where 'Alt' (alternative arrangement) is shown against a channel, this indicates that the broadcaster is contributing to the British Sign Language Broadcasting Trust (BSLBT), which commissions sign-presented programming which is broadcast on the Community Channel and Film 4.
- 1.17 Of the 72 domestic channels required to provide access services over 2014, all met or exceeded their targets and the majority did so comfortably. The table below sets out the results for 2014.
- 1.18 The BBC channels that missed their 100% subtitling target by less than 0.2% did so due to technical and operational outages which meant that some subtitling was not successfully transmitted. These channels were BBC1, BBC2, BBC News and CBBC.

Provision of Access Services by Domestic Channels in 2014

Channel	Subtitling		Audio Description		Signing	
	Annual Quota	Achieved (2014)	Annual Quota	Achieved (2014)	Annual Quota	Achieved (2014)
Level One						
BBC1	100%	99.8%	10%	21.2%	5%	5.7%
BBC2	100%	99.9%	10%	23.6%	5%	5.3%
BBC3	100%	100.0%	10%	30.9%	5%	5.6%
BBC4	100%	100.0%	10%	31.8%	5%	6.0%
BBC News	100%	99.9%	Exempt		5%	5.7%
CBBC	100%	99.9%	10%	27.6%	5%	5.8%
CBeebies	100%	100.0%	10%	24.3%	5%	5.4%
ITV1	90%	97.6%	10%	20.2%	5%	6.1%
ITV2	80%	97.7%	10%	27.3%	5%	6.0%
ITV3	71.6%	96.5%	10%	39.9%	4%	4.2%
ITV4	70%	85.3%	10%	24.8%	4%	4.6%
CITV	70%	87.7%	10%	26.9%	30 mins sign-presented a month	41 mins sign-presented a month
Channel 4	90%	100.0%	10%	28.1%	5%	5.1%
E4	80%	100.0%	10%	53.3%	5%	5.4%

Film 4	70%	99.8%	10%	26.3%	Alt	
More 4	70%	100.0%	10%	28.2%	Alt	
4Seven	10%	100.0%	3.5%	23.3%	Alt	
4 Music	80%	88.2%	Exempt		Alt	
Channel 5	80%	91.4%	10%	14.3%	5%	11.3%
5*	70%	83.3%	10%	16.7%	Alt	
5 USA	70%	77.4%	10%	20.3%	Alt	
Challenge	80%	88.1%	10%	22.9%	Alt	
Pick TV	70%	86.8%	10%	22.6%	Alt	
Sky Arts 1	70%	90.2%	10%	13.3%	Alt	
Sky Atlantic	30.8%	90.7%	5.7%	33.9%	Alt	
Sky Living	80%	91.9%	10%	33.0%	Alt	
Sky Livingit	80%	90.7%	10%	31.2%	Alt	
Sky Movies Action	80%	92.8%	10%	31.6%	Alt	
Sky Movies Comedy	80%	88.6%	10%	33.2%	Alt	
Sky Movies Drama Romance	80%	92.5%	10%	30.6%	Alt	
Sky Movies Family	80%	92.0%	10%	31.4%	Alt	
Sky Movies Modern Greats	80%	89.2%	10%	28.0%	Alt	
Sky Movies Premiere	80%	91.1%	10%	30.6%	Alt	
Sky Movies Sci-fi/Horror	80%	91.2%	10%	35.1%	Alt	
Sky Movies Showcase	70%	94.8%	10%	48.9%	Alt	
Sky Movies Crime & Thriller	70%	92.3%	10%	29.0%	Alt	
Sky News	80%	87.3%	Exempt		Alt	
Sky One	80%	86.3%	10%	30.0%	Alt	
Sky Two	80%	91.3%	10%	30.9%	Alt	
Sky Sports 1	80%	85.3%	10%	18.4%	Alt	
Sky Sports 2	80%	83.6%	10%	15.4%	Alt	
Sky Sports 3	80%	85.1%	10%	14.7%	Alt	
Sky Sports 4	80%	83.4%	10%	12.0%	Alt	
Sky Sports F1	10%	39.4%	3.5%	3.6%	Alt	
Sky Sports News	80%	87.9%	Exempt		Alt	
MTV One	80%	84.6%	10%	14.9%	Alt	
Viva	80%	80.2%	Exempt		Alt	
Comedy Central	80%	82.0%	10%	24.2%	Alt	
Nickelodeon	80%	82.8%	10.5%	12.4%	Alt	
Disney Channel	80%	88.1%	10%	20.4%	Alt	
Disney Junior	80%	90.1%	10%	30.2%	Alt	
Disney XD	80%	80.2%	10%	25.2%	Alt	
Dave	80%	86.8%	10%	35.2%	Alt	
Watch	60%	69.3%	9%	28.9%	Alt	
Yesterday	80%	84.3%	10%	23.2%	Alt	
Alibi	80%	91.4%	10%	42.9%	Alt	
Good Food	80%	83.9%	10%	25.1%	Alt	
Home	80%	83.1%	10%	29.3%	Alt	

GOLD	80%	82.2%	10%	33.7%	Alt	
Eden	80%	84.1%	10%	30.5%	Alt	
Really	51.7%	73.7%	9.3%	22.6%	Alt	
Discovery	80%	80.3%	10%	12.0%	Alt	
Universal	80%	83.6%	10%	18.0%	Alt	
ESPN	47.5%	67.5%	9%	10.6%	Alt	
Level Two						
S4C	53.3%	78.1%	10%	11.2%	5%	6.6%
Comedy Central Extra	52.8%	63.6%	10%	14.5%	Alt	
Quest	25.9%	27.6%	8.3%	8.3%	Alt	
FX	52.8%	78.7%	10%	20.7%	Alt	
Level Three						
Nick Jr	26.4%	27.1%	10%	10.6%	Alt	
Nick Jr 2	23.1%	23.8%	10%	12.7%	Alt	
Nicktoons	26.4%	70.0%	10%	10.1%	Alt	
Animal Planet	26.4%	29.3%	10%	11.2%	Alt	

Source: Ofcom – data provided by broadcasters

Occasional technical and/or operational problems led to a small shortfall in delivering against the BBC's 100% subtitling target on some channels.

Television Access Services 2014 – Non-domestic Channels

- 1.19 2014 marked the first year that certain non-domestic channels licensed by Ofcom have been required to provide access services. The majority of these broadcasters have met or exceeded their obligation.
- 1.20 In lieu of the signing arrangements set out in the Code, all non-domestic broadcasters required to provide access services elected to provide an additional 5% of content with subtitles. 2014 marks the first year of a two year transitional period during which we are seeking the views of stakeholders, including sign language users and broadcasters, on what arrangements would be most beneficial to sign language users. Ofcom will be setting out its long-term position regarding signing provision by non-domestic broadcasters later in 2015.
- 1.21 Due to technical issues caused by a delay in the relocation of its playout facilities, five services whose licences are held by MTG failed to provide any audio description in 2014 against a target of 2% (TV3 and TV3 Plus in Denmark and TV3, TV6 and TV8 in Sweden). We are currently considering appropriate enforcement action against the licensee for this under provision of access services in 2014 in line with the relevant procedures³.
- 1.22 AXN Europe Limited failed to achieve its 15% subtitling target on five of its services (AXN and AXN Sci-fi in Italy and AXN Polska, AXN Black and AXN White in Poland). We are also currently considering appropriate enforcement action against this licensee for this under provision of access services in 2014 in line with the relevant procedures.

³ <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/general-procedures/>

Provision of Access Services by Non-Domestic Channels in 2014

Member State	Channel	Subtitling		Audio Description		Signing	
		Annual Quota	Achieved (2014)	Annual Quota	Achieved (2014)	Annual Quota	Achieved (2014)
LEVEL 1							
Denmark	The Discovery Channel	15%	100.0%	2%	2.5%	Alt	
	The Disney Channel	15%	16.0%	2%	3.1%	Alt	
	Kanal 4	15%	59.8%	2%	2.6%	Alt	
	Kanal 5	15%	70.0%	2%	3.1%	Alt	
	TV3	15%	70.7%	2%	0.0%	Alt	
	TV3 Plus	15%	91.8%	2%	0.0%	Alt	
France	The Discovery Channel	15%	15.8%	2%	2.2%	Alt	
	Disney Cinemagic	15%	17.5%	2%	2.6%	Alt	
	Cartoon Network	15%	17.3%	2%	3.6%	Alt	
Hungary	The Discovery Channel	15%	15.3%	2%	2.8%	Alt	
Republic of Ireland	BBC1	15%	99.8%	2%	21.2%	Alt	
	BBC2	15%	99.9%	2%	23.6%	Alt	
	Sky Living	15%	91.9%	2%	33.0%	Alt	
	Sky1	15%	86.3%	2%	30.0%	Alt	
	Channel 4	15%	100.0%	2%	28.1%	Alt	
Italy	AXN	15%	6.2%	Technical Exemption*		Alt	
	AXN Sci-fi	15%	2.3%	Technical Exemption		Alt	
	The Discovery Channel	15%	18.3%	2%	3.5%	Alt	
Netherlands	The Discovery Channel	15%	100.0%	2%	2.2%	Alt	
Poland	Animal Planet	15%	15.3%	Technical Exemption		Alt	
	AXN White	15%	5.0%	2%	5.0%	Alt	
	AXN Black	15%	5.0%	2%	5.0%	Alt	
	AXN Polska	15%	14.4%	2%	12.3%	Alt	
	Cartoon Network	15%	16.0%	2%	5.5%	Alt	
	The Discovery Channel	15%	15.3%	Technical Exemption		Alt	
	Discovery Science	15%	18.9%	Technical Exemption		Alt	
	Discovery Turbo Xtra	15%	17.9%	Technical Exemption		Alt	
	TLC	15%	15.2%	Technical Exemption		Alt	
Romania	Animal Planet	15%	100.0%	Technical Exemption		Alt	
Spain	Disney Cinemagic	15%	81.1%	Technical Exemption		Alt	
Sweden	The Discovery Channel	15%	100.0%	2%	2.1%	Alt	
	The Disney Channel	15%	16.0%	2%	3.1%	Alt	
	Kanal 5	15%	98.9%	2%	5.3%	Alt	
	Kanal 9	15%	99.1%	2%	3.6%	Alt	
	TV3	15%	100.0%	2%	0.0%	Alt	
	TV6	15%	99.4%	2%	0.0%	Alt	
	TV8	15%	99.2%	2%	0.0%	Alt	
LEVEL 2							

NA	NA
LEVEL 3	
NA	NA

** Ofcom has granted technical exemptions for the provision of audio description in those cases where the networks and/or consumer receivers are such that audio description cannot be delivered.*

Monitoring

- 1.23 Ofcom alerts licensees that it intends to conduct some targeted monitoring of access services to ensure that relevant broadcasters are complying both with their requirements to provide access services, and to promote the awareness of the availability of these access services on EPGs and on their websites.