

A5. Equality Impact Assessment

- A5.1 Ofcom is required by statute to assess the potential impact of all our functions, policies, projects and practices on the following equality groups: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation,¹ and, in Northern Ireland, political opinion and dependents. We refer to groups of people with these protected characteristics as ‘equality groups’.
- A5.2 We fulfil these obligations by carrying out an Equality Impact Assessment (‘EIA’), which examines the impact our policy is likely to have on people, depending on their personal circumstances. EIAs also assist us in making sure that we are meeting our principal duty of furthering the interests of citizens and consumers, regardless of their background and identity.
- A5.3 We have not considered it necessary to carry out separate EIAs in relation to race or sex equality or equality schemes under the Northern Ireland and Disability Equality Schemes. This is because we anticipate that our proposed changes to the Code will not have a differential impact on people of different sexes or ethnicities, consumers with protected characteristics in Northern Ireland² or disabled consumers compared to consumers in general.
- A5.4 Our proposed changes to the Code aim to secure appropriate prominence for the designated channels on linear EPGs.³ In reaching our provisional views on appropriate prominence, we have set out the proposals that would deliver the degree of prominence that we consider appropriate for each group of channels in light of the groups’ characters, the role that they play in the PSB landscape and the public value generated, in light of our relevant statutory duties. We have also considered the impacts on different stakeholder groups that may arise as a result of changes to a channel’s existing position under our proposals.
- A5.5 We have considered the impact our proposals would have on a range of stakeholders, including audiences. We consider that our proposed amendments to the Code would have an over-arching positive impact on all consumers and citizens who use EPGs.
- A5.6 We consider that our proposed changes to the Code would not have a detrimental impact on any defined equality group. Rather, we consider that our proposals would further the aim of advancing equality of opportunity between different groups in society by securing appropriate prominence for public service broadcasters and local TV services.

¹ As defined in the Equality Act 2010.

² In addition to the characteristics outlined in the Equality Act 2010, in Northern Ireland consumers who have dependents or hold a particular political opinion are also protected.

³ Please note that the Code’s accessibility section was recently amended, with effect from 27 June 2018. The Equality Impact Assessment carried out in relation to these changes can be found at Annex 3 of our EPG Accessibility Statement of 27 June 2018: https://www.ofcom.org.uk/_data/assets/pdf_file/0016/115261/statement-epg-accessibility.pdf.

A5.7 We recognise that some audiences could be negatively impacted by our proposed changes in the short-term, to the extent that they watch channels which could be moved to a different EPG position, as they would need to adjust to the new order of the channel list on their EPGs. However:

- a) we do not consider that our proposals would have any detrimental impact on any persons with protected characteristics, nor do we envisage that the impact of any outcome would be to the detriment of any group of society; and
- b) we consider that the overall positive benefits for all consumers and citizens arising out of securing appropriate prominence for the designated channels outweighs the potential short-term negative impact described above.