

Response of the Ofcom Advisory Committee on Older and Disabled People (ACOD) to Ofcom's Second Public Sector Broadcasting Review – Phase Two: Preparing for the Digital Future

1 Introduction

1.1 At its meeting on 7th July 2008, and 15th October 2008, ACOD had a discussion on Phase Two of the PSB review. Members of the Committee subsequently reviewed the Phase Two consultation document and have had an opportunity to comment. Our views are outlined below and, where relevant and appropriate, we have reiterated some points made during the consultation on Phase One of the review.

1.2 ACOD's response to some of the broad issues raised in Phase One of the review will have contributed to Ofcom's conclusions. However, it seems that our consideration of specific issues of concern to older and disabled people in the context of PSB have not been taken up as we had hoped. The Phase 2 document barely contains any reference to these groups.¹ Our concern is heightened by the fact that ACOD made the same comments regarding its experience of the first (2004-5) PSB review.

In particular in 2004-5 we expressed concern that despite an aging population all broadcasters are chasing younger audiences, to the detriment of an older demographic. We commented on issues of on screen portrayal which we felt did not reflect the role or proportion of older or disabled audiences in our society. Lastly, we also noted the reliance that many older and disabled people have on PSB providers for news and information, and our desire to ensure that they continued to be catered for both through mainstream programming, targeted output and access services such as subtitling or BSL.

These issues remain of vital importance to the communities that ACOD supports and therefore these points are as relevant in 2008 as they were in 2009, if not more so.

2. Section 4: Models

Question 1: Do you agree that public service provision and funding beyond the BBC is an important part of any future system?

¹ The word 'disabled' occurs only once in the report (in relation to help with digital switchover). 'Elderly/older' occurs only on a few occasions in the context of contrasting the choices/preferences of older, as distinct from younger people. 'Deaf' and 'Visual impairment' each occur only once - in relation to Teletext. The terms 'Learning difficulty/difficulties/disability/disabilities' are not used.

2.1 ACOD notes that respondents to Ofcom's research share its view of the BBC as the cornerstone of PSB. However, like other citizens, disabled and older people intrinsically value having a plurality of public service content and rely heavily on TV for information, news and entertainment. We remain sceptical that commercially driven broadcasters will see the production of dedicated output such as 'See Hear' as anything other than a drain on their resources. In such circumstances the need for PSB increases as it must address the development and broadcasting of programming that satisfies needs that are not simply driven by a mass market. A wider range of competitively provided public service broadcasting will increase the regulatory burden and require closer monitoring of content against the purposes of PSB.

2.2 ACOD is concerned that, increasingly competing with private sector providers in the type of programming, and in the ways in which programming is output, is a distraction for the BBC from its public service remit. Similarly, with the advent of the multiplicity of digital platforms the pressure on broadcasters is to fill bandwidth with quantity rather than quality. The BBC has been drawn into that too. It feels like it is under pressure to compete with commercial broadcasters and should not be. If public broadcasting is centred to some degree on the provision of education and information, there is a case for an examination of how this might be sustained without the need to focus on ratings.

2.3 Irrespective of the funding approach that is adopted, ACOD believes that PSB providers must have a duty to progress the interests of people who are older or disabled and to routinely anticipate inclusive practices. If a contestable fund is adopted, bidders should be required to demonstrate how they would meet such a duty. Key performance indicators may be required for what is being delivered. With the development of convergence, people who are older and/or disabled will become evermore dependent on services and entertainment via PSB mechanisms.

3. Question 2: Which of the three refined models do you think is most appropriate?

3.1 ACOD believes that PSB is a proper use of public funds. The market alone will not meet the interests of people who are older or disabled. The level of future funding for PSB cannot be fully determined until decisions have been made about how it should be provided. However, those decisions need to take into account the cost of programmes aimed at people who are older or disabled and costs to ensure that both groups are fully represented in mainstream output, as presenters, participants or otherwise. For these reasons ACOD believes that the Enhanced Evolution or Refined BBC/Channel 4 models are the most appropriate.

3.2 The Enhanced Evolution model might support social access and inclusion more than the other models. However, the risks in this model to provision for older and

disabled people are large. Regional news services through ITV could suffer and there could be continuing erosion of support for services such as Teletext. Additionally, if as predicted the needs of the mass of viewers and listeners change radically over the next decade, then this evolution model could rapidly prove to be a poor fit for those needs. If this were the case, then the needs of disabled and older people (and indeed many PSB requirements) could be lost in any resultant shake-up, as media companies fight for survival. In our response to PSB 1 the idea of a PSP fund was explored and in essence was based on the principle that the Government would make available funds for broadcasters to use

4. Question 3: Do you agree that in any future model Channel 4 should have an extended remit to innovate and provide distinctive UK content across platforms? If so, should it receive additional funding directly, or should it have to compete for funding?

4.1 Yes, by direct funding. See possible model above

5. Question 4: Do you think ITV1, Five and Teletext should continue to have public service obligations after 2014?

5.1 Para 2.88 of the Phase 2 document highlights ACOD's views on Teletext services. However, it should be stressed that in the absence of sign interpreted or subtitled regional news, for many deaf and hard of hearing people Teletext is often the only means of accessing regional news and local information services which are readily available to hearing people via other media such as local radio.

5.2 It is difficult to predict what the PSB landscape might look like in 2014 and beyond. ITV1, as well as others, provides popular programming in which social inclusion and access issues can be portrayed. ACOD believes that ITV1 should be supported in some way to promote this role, without mandating what form of licensing would support it.

6. Question 5: What role should competition for funding play in future?

6.1 A limited role for competition for funding will avoid the need for complex systems and controls to monitor compliance with PSB obligations. As indicated at 1.3 above, ACOD believes that PSB providers must have a duty to progress the interests of people who are older or disabled and to routinely anticipate inclusive practices. Broadcasters bidding for funds should be required to demonstrate how they would meet such a duty. Key performance indicators may be required for what is being delivered'.

7. Section 5: Long-term: nations and regions

Question 6: Do you agree with our findings that nations and regions news continues to have an important role and that additional funding should be provided to sustain it?

7.1 Yes. National, and in particular regional news services, are often the only source of local information for socially excluded sections of society including older and disabled people. Low income, housebound individuals are particularly in need of such a service.

9. Question 8: Do you agree with our analysis of the future potential for local content services?

9.1 Yes

10. Section 6: Funding

Question 9: Do you agree with our assessment of each possible funding source, in terms of its scale, advantages and disadvantages?

10.1 Yes, but ACOD believes that any funding model should not introduce cost obstacles that result in social exclusion, in particular of older and disabled people. Perhaps tax relief schemes could be used to incentivise commercial participation in competition for funds.

11. Question 10: What source or sources of funding do you think are most appropriate for the future provision of public service content beyond the BBC?

11.1 As indicated above, ACOD believes that the market alone will not meet the interests of people who are older or disabled and that PSB is a proper use of public funds. Where these funds are sourced is a decision for government and may need or be explored in the context of other budgets such as Social Inclusion and Health.

12. Section 7 and annex 1: Matters for short-term regulatory decision

Question 12: Do you agree that our proposals for 'tier 2' quotas affecting ITV plc, stv, UTV, Channel TV, Channel 4, Five and Teletext are appropriate, in the light of our analysis of the growing pressure on funding and audiences' priorities? If not, how should we amend them, and what evidence can you provide to support your alternative?

12.1 ACOD welcomes the proposal relating to short-term regulatory decisions, but questions why, if provision for children is given such attention and focus, why equally relevant areas of provision - such as for older people - do not get similar attention.

M R Whittle CBE

Chair

ACOD

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