On-demand programme services:

Access services report 2016/17

About this document

This report sets out the extent to which on-demand programme services (ODPS) carried subtitles, audio description or signing during two periods: Jan-Dec 2016 and Jan-July 2017. It allows Ofcom, consumers, industry, and Government to measure progress in making ODPS accessible to people with hearing and/or visual impairments. It is published alongside a consultation 'How should on-demand programme services be made accessible?'[1] which is being conducted to inform government drafting of regulations on ODPS accessibility.

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[1] Available here

Contents

1. Summary

1.1   Ofcom regulates a wide range of on-demand programme services ("ODPS"), ranging from public service broadcasters' catch-up services and film services to local TV archives and 'adult' websites.

1.2   This report, and the accompanying interactive data tool, give information on the extent to which in such on-demand services are made accessible to people with hearing and/or sight impairment. A key way in which ODPS providers can do this is by making their programmes available with subtitles, signing and/or audio-description (collectively, "access services")

1.3   While broadcasters must achieve specific accessibility targets, there is currently no statutory requirement on providers of ODPS to make their services accessible. However the Digital Economy Act 2017 lays the ground for regulations requiring increased on-demand accessibility.

1.4   This report gives information on ODPS accessibility during two periods: January-December 2016; and January-July 2017.

Key findings

1.5   During the combined period from January 2016 to July 2017:

   a)   62% of ODPS providers did not offer any access services with their programmes (slightly down from 68% in the year ending March 2016).

   b)   While 38% of providers offered some subtitling, only 8% provided signing.

   c)   The percentage of providers offering audio description has increased from 6% to 11%.

   d)   We continue to see patchy provision of access services when ODPS are accessed via major 'living room' platforms such as Virgin and Sky. There has been some improvement, but it is not consistent and ODPS providers continue to cite technical obstacles to the provision of content with subtitles across a range of different platforms.

Next steps

1.6   While Ofcom welcomes the progress that has been made, we note that improvements have been relatively slow and inconsistent. We believe that consumers with hearing and/or visual impairments should have the full range of choice available to them on broadcast television.

1.7   Alongside this report, Ofcom has published a consultation[2] on the accessibility of ODPS, which will be used to inform government's drafting of regulations in this area.

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[2] The consultation is published here

1.8   We will in the meantime continue to engage with the relevant consumer groups and industry stakeholders to develop our understanding of user preferences and industry obstacles to fulfilling them.

2. Report on ODPS accessibility

Background

2.1   Ofcom regulates on-demand programme services ("ODPS") under the Communications Act 2003 (as amended) ("the Act"). ODPS regulated by Ofcom include a wide range of services, such as public service broadcasters' catch-up services, film services, local TV archives and "adult" websites.

2.2   Ofcom has a duty under section 368C(2) of the Act to encourage providers of ODPS to ensure that their services are progressively made more accessible to people with disabilities affecting their sight, hearing, or both. ODPS providers can achieve this in particular through subtitling, signing, and audio-description (known as "access services").

2.3   One of the key ways in which Ofcom can encourage accessibility is through the regular collection and publication of data on ODPS accessibility[3]. This includes information on which ODPS provide programmes with subtitles, signing and/or audio description, and what proportion of programmes carry these access services.

2.4   Ofcom does not currently **have any statutory powers to** *require* **that ODPS providers make their services more accessible.** This differs from the situation for broadcast television, where broadcasters are required by law to make a certain proportion of their programming accessible[4].

2.5   However, the Digital Economy Act 2017[5] allows for regulations to be drafted which require ODPS providers to ensure that their services are made accessible. Ofcom has launched a consultation[6] in order to inform government drafting of such regulations.

What is covered by this report?

2.6   In April 2017, following a public consultation, Ofcom published a statement on its decision to alter the way it collects and publishes data on ODPS accessibility[7]. In summary, we decided to:

   a.   require ODPS providers to submit access services data on a twice-yearly basis in line with the current requirement on television broadcasters;

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[3] Ofcom assumed sole responsibility for regulation of non-advertising content on ODPS in January 2016. Previously, Ofcom had designated regulatory functions to the Authority for Television On-Demand ("ATVOD"). The Advertising Standards Authority remains Ofcom's co-regulator for advertising content. Prior to 2016, ATVOD collected yearly data on ODPS accessibility.

[4] See Ofcom's Code on Television Access Services

[5] See the section on accessibility here

[6] See here

[7] Available here

b. make it compulsory for ODPS providers to submit this data using our formal information gathering powers[8].

c. require ODPS providers to submit data about each branded service[9] they offer to consumers;

d. exclude providers of 'adult'[10] services from the requirement to provide data; and

e. publish the collected data on a biannual basis, as currently occurs for broadcast television services.

2.7   In order to align ODPS data collection with that on broadcast accessibility, this report provides data relating to two periods: Jan to Dec 2016; and Jan-July 2017[11].

2.8   We required ODPS providers to provide us with details on the total number of hours available on each of their branded services, the total number of programmes, and the proportion of each that were provided with subtitles, signing or audio description. We also asked them for information on consumer complaints regarding accessibility (not for publication) and, although we did not formally require them to explain levels of provision, we gave them the opportunity to outline barriers to making ODPS accessible to improve understanding of the issues involved.

2.9   ODPS providers make their branded services available on multiple platforms. Channel 5, for example, makes its service "My 5" available via its own website, via mobile apps, and on the Virgin and YouView set top box platforms. The amount of subtitling, signing, or audio description on each of these 'outlets' may differ. So we required providers to specify the amount of access services on each of the outlets via which each branded service is available.

2.10   Annex 1 contains a list of the ODPS providers required to provide data, who operated ODPS regulated by Ofcom which (to the best of our knowledge) were operational both during at least one of the relevant time periods and at the time of drafting.

2.11   We note that some service providers (such as Sky and Virgin) provide ODPS but also operate platforms which host the ODPS of others. For example, Sky Go includes both Sky on-demand content and that of other providers such as ITV and Discovery. Figures provided here relate only to the provider's ODPS, not to the platform as a whole.

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[8] Section 368O of the Act gives Ofcom the power to require ODPS providers to provide us with information, including to the extent necessary for the purpose of securing compliance with the obligations of the United Kingdom under the Audiovisual Media Services Directive ("AVMSD"). Since the duty to encourage access services under section 368C(2) of the Act derives from an obligation on the United Kingdom in Article 7 of the AVMSD, Ofcom considered it appropriate to use its section 368O power to secure fulfilment of its section 368C(2) duty.

[9] By 'branded service' we mean an ODPS or part of an ODPS which is marketed to consumers under a distinct name or brand.

[10] By 'adult', we mean pornographic content which falls within the British Board of Film Classification's definition of a 'sex work'. See http://www.bbfc.co.uk/what-classification/18. We have excluded these services due to the limited consumer benefits we consider are likely to arise from access services on such ODPS, relative to the operational costs of enforcement.

[11] ATVOD previously collected data on the basis of a year ending 31 March, and this pattern was followed by Ofcom in its first data collection (for the year ending 31 March 2016), the report on which can be read here.

2.12   We also note that this report relates to both 'domestic' and 'non-domestic' ODPS. 'Domestic' services can be accessed from within the UK. 'Non-domestic' ODPS are services which can be used only from EU countries outside the UK. We have indicated where data refers to domestic ODPS only.

2.13   The report does not cover the following services:

a)   ODPS principally providing adult content (see 2.6d above).

b)   BBC iPlayer[12]

c)   Non-UK services[13] including Netflix and iTunes

How can this report be used?

2.14   The information in this report, and the accompanying interactive data tool, can be used in several ways:

a.   It can **help consumers to make informed choices** about the services they use and/or purchase. For subtitling in particular it should help to address two types of question:

o   "where can I watch [e.g.] All4 with subtitles?"; and

o   "which ODPS can I watch with subtitles on [e.g.] YouView?".

b.   It allows Ofcom, industry, government, and consumers to **measure progress** in making ODPS accessible, highlighting any gaps in provision.

c.   It provides a **reference point for Ofcom's consultation on ODPS accessibility.**

Overview of accessibility 2016/17

2.15   Figure 1 gives an overview of accessibility over the last four years.

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[12] Ofcom's duty to encourage accessibility does not apply to the BBC in its public service role and as a provider of an ODPS. However, the BBC has duties in respect of access services. Currently these are the former arrangements set out in the 2006 BBC Agreement which continue to apply on a transitional basis under the 2016 BBC Agreement until Ofcom has applied an access services code to the BBC setting out new arrangements. The report does apply to the BBC's commercial arm, BBC Worldwide.

[13] These services are not regulated by Ofcom as they do not fall within UK jurisdiction for the purposes of the legislation applying to ODPS
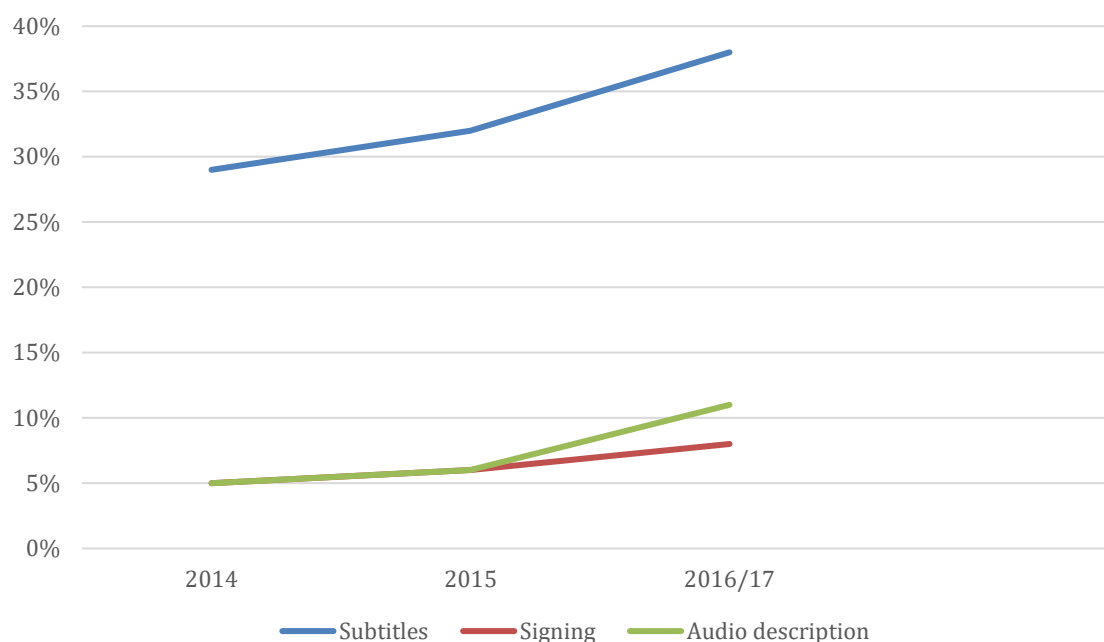
Figure 1: Proportion of ODPS providers offering access services

2.16   The following sections give more detail on the levels of audio description, subtitling and signing, across different branded services and different platforms. In relation to these figures, we note the following:

a)   As our data collection methods have changed slightly (see 2.6 above) direct comparisons with previous data are not always possible. In particular, this is the first time that data has been broken down by branded service. It is also the case that some service providers have been more thorough than others in breaking down their on-demand content by branded service. However, we still provide comparisons with previously collected data, comparing proportions of services (rather than giving absolute numbers).

b)   Some providers gave Ofcom figures for the access services which they provided with content passed on to third party platforms, but could not tell us whether those access services were in fact passed on to the consumers. These figures are not included in the discussion below.

2.17   For more information on the number and proportion of services offering subtitles, audio description or signing, please see the interactive data tool which is published alongside this report[14].

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[14] Please note that this tool includes services where data was given to us in the required format. We are aware of one additional ODPS – Amazon Video – which provides subtitles across a number of different platforms.

Audio Description ("AD")

2.18   Our most recent data shows a significant increase in the number of services offering audio description (10 services up from 5 in the year to March 2016). Some new entrants are providing only a very small proportion of content with AD, but we hope that this reflects initiatives to develop this technology. A few established AD providers have now increased levels of provision to exceed broadcast requirements, and begun in 2016/17 to provide AD not just on their websites but also on mobile apps – in particularly All4 audio describes over 20% of catch-up programming on its website and android app. However, we note that despite this progress, those service providers offering AD represent only 11% of ODPS providers.

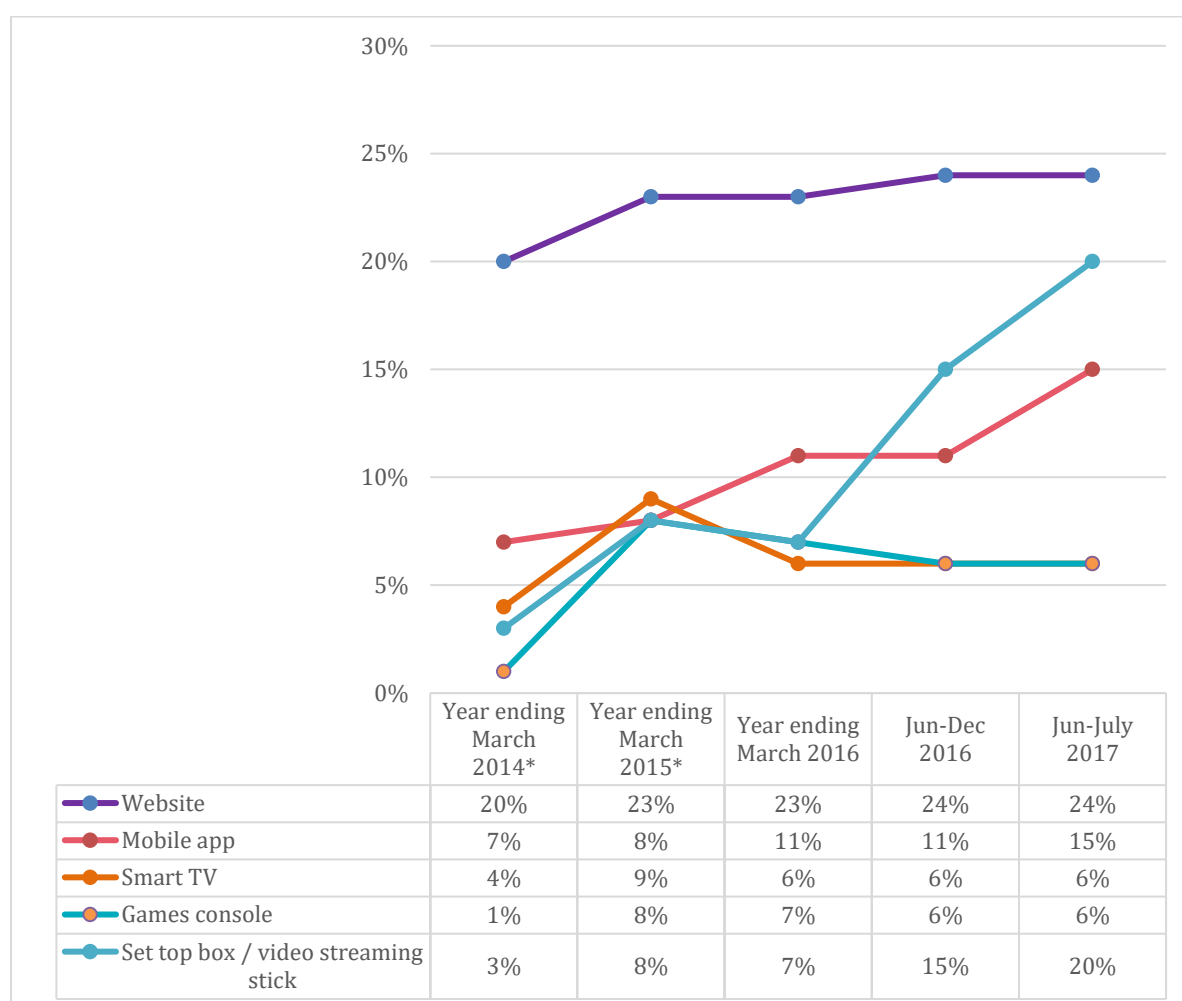|	Year to March 2014**	Year to March 2015**	Year to March 2016	Jan-Dec 2016	Jan-July 2017
All 4	15% (website)	16% (website)	20% (website)	22.3% (website)	23-24% (app/website)
BBC Store	N/A	N/A	0.2% (website)	0.6% (cross platform)	0.5% (cross platform)
BFI Player	0%	0%	0%	0.19% (website & smart TV)	0.17% (website & smart TV)
BT TV	0%	0%	0%	0.02%	0.03%
Curzon Home Cinema	0%	0%	0%	0.14% (cross platform)	0% (cross platform)
ITV Hub	0%	0.4% (apps)	1.5% (apps)	5.9% (app)	8.2% (app)
MTV	0%	0%	0%	0%	8.5% (set top box)
My 5	0%	0%	6.3-9% (apps / website)	7.4-7.6% (apps / website)	8.8-9.1% (apps / website)
Sky	8%*	13%*	6.3%*	5.19%*	3.65%*

*These figures refer to percentage of 'push' VOD only. 'Push' refers to a small selection of content which is automatically recorded to the set top box (this has been known variously as 'Sky Anytime' and 'Showcase').

** Data collected by previous co-regulator ATVOD

Figure 1 – Audio Description in the last three years, as a percentage of total programme hours available

Subtitles

2.19   The proportion of ODPS providers offering subtitles has increased from 32% in the year ending March 2016, to 36% in the 2016/17 period of this report. For those providing subtitles, we have not seen any significant rise in the quantities of programming which is subtitled. Overall, these accessible services subtitled 26% of programme hours. If we look at the amount of content subtitled across all ODPS this falls to 7%.

2.20   We know from previous data that accessibility of ODPS can vary substantially depending on which type of platform the service is viewed on (own brand website, phone app, television set top box, and so on). Figure 2 shows how the provision of subtitles has varied according to platform over the last four years.

	Year ending March 2014*	Year ending March 2015*	Year ending March 2016	Jun-Dec 2016	Jun-July 2017
Website	20%	23%	23%	24%	24%
Mobile app	7%	8%	11%	11%	15%
Smart TV	4%	9%	6%	6%	6%
Games console	1%	8%	7%	6%	6%
Set top box / video streaming stick	3%	8%	7%	15%	20%

*Data collected by previous co-regulator ATVOD

Figure 2 – proportion of ODPS[15]available with subtitles on each type of outlet[16], over the last three years

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[15] Non-adult ODPS only from year ending March 2016
[16] UK domestic platforms only

2.21   As in previous years, we see a small but steady increase in the proportion of services available as apps with subtitles included. Both smaller services (e.g. Globe Player) and larger services (e.g. ITV Hub) seem to be expanding their subtitle capabilities to include their own brand mobile apps.

2.22   The more significant increase since our last data collection in March 2016 has been in the proportion of services made available with subtitles when viewed via a set top box or video streaming sticks. We note that in collecting the latest data we gave providers a more extensive and comprehensive list of platforms, and this may account in part for the increased figures (as providers may not previously have selected all the platforms on which their service appeared). Figure 3 looks more closely at the number of services available with subtitles when viewed on some of the major set top boxes / video streaming sticks.
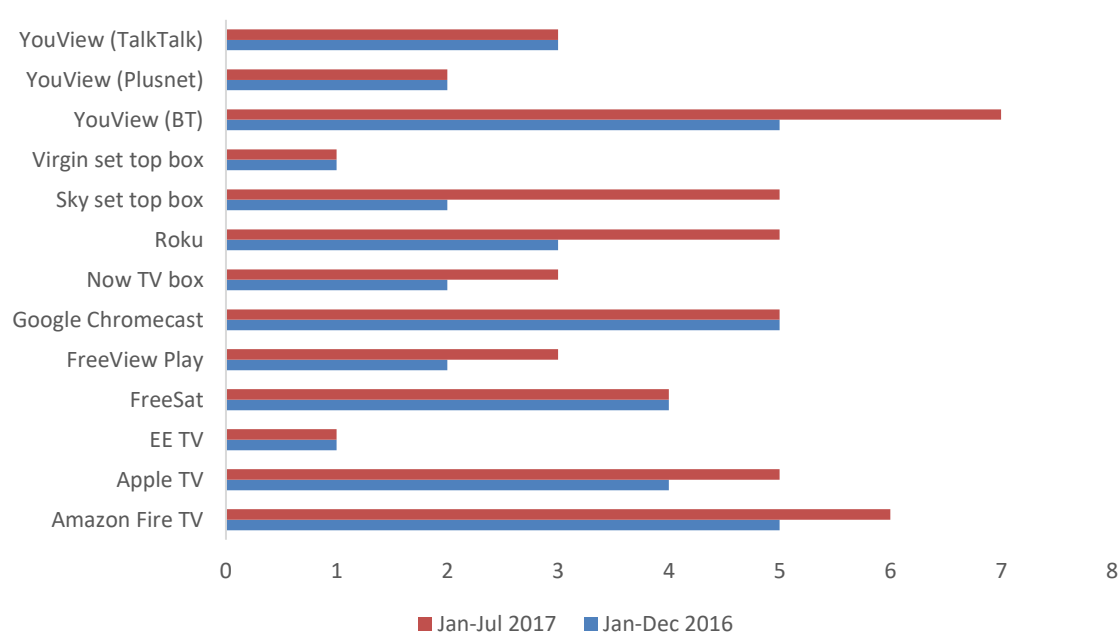

Figure 3 – accessibility across major set top box / video streaming services – domestic channels only

2.23   We note that despite the increase in subtitling across this type of outlet in general, there are still relatively few services carrying subtitles on some of the major set top box outlets (for example 1 out of 25 ODPS available on Virgin). Section 3 below discusses obstacles to increased accessibility (and particularly subtitling) across a range of platforms.

Signing

2.24   Signing continues to be the service least commonly offered by ODPS providers. In this data collection period three additional services – Hopster, a children's programming service, Islam Channel, and Islam Channel Urdu – began to introduce signed content. Amongst the four ODPS services which provided signing in the first half of 2017, levels are generally low with the exception of BBC Store which has since closed. Where signing is offered, however, it does not suffer from the technical issues which affect subtitling – it is therefore usually offered across a range of platforms (including websites, mobile and smart TV apps and set top box services).

	Year to March 2014*	Year to March 2015*	Year to March 2016	Jan-Dec 2016	Jan-July 2017
All4	0%	0%	0%	0.2%	0.2%
BBC Store	N/A	N/A	13%	18.8%	15.4%
BSL Zone Player	100%	100%	100%	100%	100%
Hopster	N/A	N/A	N/A	0%	0.3%
Islam Channel	0%	0%	0%	1%	0.7%
Islam Channel Urdu	0%	0%	0%	0%	9.6%
ITV Hub	2.3-3%	1.4-2.2%	1.1-1.5%	0.3-2.3%	1.8-2.7%
STV	0%	1.1-1.4%	0.3%	0%	0%
UTV**	3%	2.9%	0.6%	N/A	N/A

* Data collected by previous co-regulator ATVOD

** UTV's data is now included in that for ITV

Figure 3 – Signing in the last three years, as a percentage of total programme hours available

3. Future progress

Obstacles to progress

3.1   Ofcom is pleased to note that there has been significant progress in the number of services starting to offer AD. It is also encouraging that more subtitles appear to be available via television set top box and stick video streaming devices (for example on Sky's own ODPS).

3.2   However, we are concerned about both the slow pace and inconsistency of improvement. There has been little change in the proportion of providers offering subtitles or signing, and there remain significant gaps in accessibility when ODPS are accessed via some popular 'living room' set top box platforms.

3.3   Ofcom recognises that providing access services on ODPS poses challenges to providers. Alongside this data collection we gave providers the opportunity to outline obstacles to provision. Annex 3 gives an overview of the responses we received on this issue. In summary, the most common obstacles mentioned were:

   a) Resources (cost and staff availability)

   b) Lack of technical infrastructure

   c) The position of the ODPS provider in the supply chain, between content providers and platform operators. Some providers said that they were not being given access services by content providers (or asked to pay for them). Others said that they were not being asked for access services by platform operators.

   d) Different platforms and devices have different workflow, delivery and technical requirements. This greatly increases the complexity of providing access services with any given programme.

   e) Specific circumstances, for example the lack of call for subtitles on pre-school content.

3.4   We recognise that when ODPS providers make their services available over a range of different platforms, each can require access services to a different technical specification. Making this work for each platform can take significant resource. Furthermore, we note that the provider of the ODPS and the operator of the platform must agree on who is to provide this resource.

3.5   However, it remains Ofcom's view that this work should be prioritised. The popularity of catch-up and on-demand services continues to increase[17], which means that consumers with hearing and/or visual impairments are being left behind without access to content.

3.6   It is encouraging that major platforms are now beginning to provide subtitling with their own ODPS when accessed through their own platforms (e.g. Sky content on Sky). However, this has had very limited knock-on effect to third party ODPS providers distributing their service via those platforms (of third party ODPS providers on Sky, for example, only Viacom

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[17] See Ofcom's Communications Market Research 2017

channels provide content with subtitles). We strongly encourage ODPS providers and platform operators to take this opportunity to work together on making progress. To this end we are supporting a Television on-demand industry forum (TODIF) working group which is looking at possibilities for a standardised, agreed approach to providing subtitles to multiple platforms.

Next steps

3.7   Alongside this report, Ofcom has published a consultation[18] on the accessibility of ODPS, which will be used to inform government's drafting of regulations in this area. In drafting that consultation we have taken into account the comments made here by ODPS providers in relation to barriers to progress.

3.8   We will continue to engage with the relevant consumer groups and industry stakeholders to develop our understanding of user preferences and industry obstacles to fulfilling them. In particular, we are supporting the Television on-demand industry forum ("TODIF") technical working group. This group aims to share knowledge and information on technical and operational issues affecting accessibility, with a view to coming up with solutions such as standardisation of technical formats.

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[18] Available here

A1. ODPS Providers required to respond

*bold text indicates those who did not respond

AETN UK

Amazon Instant Video Limited

AMC Networks International Broadcasting Ltd

AMC Networks Programme Services Ltd

Arsenal Broadband Limited

AXN Europe Limited (part of Columbia Group)

Barcroft.tv (Barcroft Media)

BBC Worldwide Ltd

Blue Skye Entertainment Limited

Box Plus Network Ltd

British Film Institute

British Sign Language Broadcasting Trust

British Telecommunications PLC

Cambridge TV Productions Ltd

CBS AMC Networks EMEA Channels Partnership

CBS AMC Networks UK Channels Partnership

Channel 4 Television Corporation and 4Ventures

Channel 5 Broadcasting Ltd

Chelsea Football Club

Chrominance Television

Cirkus Ltd

Columbia Pictures Corporation Ltd

Columbia Pictures Corporation Ltd (previously provided by AXN Northern Europe Ltd)

Commedia Sheffield

Community Channel

CSC Media Group Ltd

Curzon Cinemas Ltd

Digitaltheatre.com Limited

Discovery Corporate Services Limited

Distrify Media Limited

E! Entertainment UK Limited

Estuary TV CIC Ltd

FilmDoo Ltd

FilmFlex Movies Limited

Filmon TV Limited

Fox Networks Group (UK) Limited

Greystone Media Ltd

Grime Daily

Islam Channel (Urdu) Ltd

Islam Channel Limited

ITV Consumer Ltd

JimJam Television Limited

Journeyman Pictures Ltd

Lebara Media Services Limited

Liverpool Football Club and Athletics Grounds Ltd

LocalBuzz Media Networks Ltd

Made Television

Marjan Television Network Limited

Mediabox Broadcasting International Ltd

Modern Times Group MTG Limited

MTV Networks Europe

MUTV Limited

NBC Universal Global Networks UK Ltd

NextUp Comedy Limited

Nickelodeon UK Ltd

Northern Visions

Notts TV Ltd

Outdoor TV Ltd

P110 Limited

Paramount UK Partnership (T/A Comedy Central)

Perform Investment Limited

Plato Media Ltd

Polsat JimJam Limited

Premier Christian Media Trust

Rangers Football Club Limited

SBTV Global Ltd

SCI FI Channel Europe LLC

Scripps Networks International (UK) Limited

Sky UK Limited

STV Central Limited

Sundance

Synapse TV Ltd

TalkTalk TV Entertainment Ltd

The Horror Show Limited

The Shakespeare's Globe Trust

The Walt Disney Company Limited

Tinizine Limited

Trace UK World Ltd

Turner Broadcasting System Europe Limited

U Music TV Limited

UKTV Media Limited

United Christian Broadcasters Limited

Universal Pictures Subscription Television Ltd

VEVO (UK) Ltd

Viasat World

Video Content Library Limited

Videoondemand365

Virgin Media Limited

Vubiquity

A2. Questions asked

A2.1   In addition to the excel spreadsheet used to capture data (not replicated here) we gave ODPS providers the following definitions and asked them the questions copied below. We told ODPS providers that we intended to include some or all of the data they provided in response to Questions 1 and 3 in this report, but that we had no current plans to publish any complaints data provided in response to Question 2.

Definitions

"Branded Service" means an ODPS or part of an ODPS which you have notified to Ofcom under section 368BA of the Act, and which is marketed to consumers under a distinct name or brand; [19]

"**ODPS Outlet**" means the outlets for ODPS listed in the Excel spreadsheet in Annex 2;

"**Relevant Period 1**" means 1 January 2016 – 31 December 2016;

"**Relevant Period 2**" means 1 January 2017 – 30 June 2017.

Question 1: On-Demand Programme Service (ODPS) accessibility data (using Excel template)

    a) Please complete a separate copy of the Excel spreadsheet at Annex 2 for each Branded Service which you provided in Relevant Period 1, to specify, in respect of each ODPS Outlet from which the Branded Service could be accessed:
        i.   the volume of programming made available in that period,
        ii.   if applicable, the volume of programming with access services made available in that period.

    b) Please complete a separate copy of the Excel spreadsheet at Annex 2 for each Branded Service which you provided in Relevant Period 2, to specify, in respect of each ODPS Outlet from which the Branded Service could be accessed:
        i.   the volume of programming made available in that period,
        ii.   if applicable, the volume of programming with access services made available in that period.

Question 2: Complaints
Please specify the number of complaints you received relating to access services in each of Relevant Period 1 and Relevant Period 2 and in each case, the main issues that were the subject of complaint.

Question 3: Barriers to provision

Please specify any barriers to the provision of access services on ODPS or to the provision of more programmes with access services (technical, legal, financial or other) which you have identified.

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[19] See section 4 of our guidance document 'Who needs to notify':

A3. Responses to Question 3 on barriers to provision

Service Provider	Barriers to accessibility
AMC Networks	Access Services are governed by the platforms which carry the channels. For example –audio description requested by BT for AMC UK VOD content Mar 2017.
Columbia Pictures Corp Ltd/CSC Media Group/AXN Europe Limited	*The barriers in relation to the provision of access services on the ODPS are cost and lack of technical infrastructure to run access services. Generally our ODPS support our linear channels. Where we do provide HoH subtitles on the linear channel (AXN Poland and AXN Hungary), we have an area on the supporting channel website which highlights the availability of the subtitled programming. We note in relation to our Kids ODPS content, Tiny Pop targets pre-school children where the utility of subtitles is likely to be limited due to the limited reading ability of the audience.*
Azoomee	Not all content provider offer content files with access services, especially when it's smaller production digital content.
BBC Worldwide	*Technical and compatibility issues in the delivery chain are the most significant factors affecting the level of accessible content available on our on-demand services. Before BBC Store wound down, a technical solution was being developed to overcome these barriers. With BBC Worldwide Kids we are not in control of the platform and therefore have less control over the provision of access services.*
BFI	*"Subtitles - 80% of new features titles added to the service in 2016 and 2017 are now present with burnt in or optional subtitles.* *The remaining 20% have no subtitles available when requested from the UK distributor. We make a point of requesting subtitles for 100% percent of features added to the service. It is usually the smaller productions with limited budgets that struggle to provide subtitles but not exclusively.* *We are committed to working through the backlog of features published prior to 2016 and applying subtitles wherever possible. Our target for 50% of all features across all devices by the end of Q2 2017 was not realised and we are currently at 40%. 50% is now our target for the end of Q2 2018.* *Audio Description - Our video service provider has been unable provide AD functionality until Oct 17. There are still some challenges regarding adding AD files retrospectively. However we are now in a position to work with them to add this functionality to our delivery roadmap and we should be in a position to begin a live roll out early in 2018.* *From that point on we'll aim to provide AD for all newly added features to the service where AD is available from suppliers. A strategy for tackling the feature backlog will also be reviewed at that time.* *Short Form/Archive Content – As previously I think it's important to differentiate this part of our Web archive/short form content offering on the attached tables. 60% of our archive offering is silent/mute and is not appropriate for subtitles. The*

	vast majority of those remaining was produced at a time when neither subtitles nor AD were available. These titles would require brand new files creating, the cost of which would be prohibitive to a service of our scale."
Box Plus	*"With regards access services, the majority of our (ODPS) content comes from "catch-up" content derived from our linear service. On linear we are only required to provide subtitles on our DTT channel, 4Music. (NB: The channel is required to provide 80% of its output as subtitled, 10% with audio description and we have alternative arrangements for signing through BSLBT.)* *Due to distribution restrictions on the content within the 4Music schedule, only a small percentage of content on our ODPS service comes from 4Music. As a result, the majority of our (ODPS) content comes from our other linear services; as such we face the same financial and resource barriers in providing access services to the content regardless of platform.* *Furthermore, although the service is growing (we have added our "app" to Roku, Samsung, LG, EETV and Xbox platforms) the service is very much within its infancy so has extremely small audience volumes, which are considerably lower than our linear channels.* *Considering audience, the cost of development and hardware on the app/ODPS further development into access services would prove to be extremely preventative to the future of the service."*
BSL Broadcasting	*"BSLBT's audience focus is the Deaf BSL community and Audio Description is not something that the Board feels it appropriate to resource at the moment."*
BT	*"With respect to question three and the barriers of provision to access services: our main issue remains the lack of content which is delivered with the requisite access service files on. As well as commercial issues, there is a reluctance from some content providers (CPs) to provide their content in the appropriate formats. As previously discussed with Ofcom, in our experience some CPs expect payment for subs/AD and our view is that this should be the CP's responsibility. Where subs/AD are available already, some CPs will still have to create new workflows to get them to us, which can have a prohibitive cost attached. Even if access services came from a linear broadcast, because VOD often has scenes or advertisements added/removed, this renders the existing subs/AD files partially redundant, as new access services have to be created. As Ofcom is aware, BT is playing an active role in TODIF and we hope mutually beneficial solutions can be achieved to remedy these issues."*
Channel 4	*"Channel 4 is committed to making content progressively more accessible across ODPS outlets, some of the challenges we have are;* *• A high number of differing workflow and delivery requirements are necessary for each individual platform* *• Differing workflow and delivery requirements for current 'old' and 'new' devices* *• Individual workflow and delivery requirements are highly complex and subject to fast changing technologies* *• Development & support for increasing number of platforms requires increased resource* *A mandate for device manufacturers regarding the delivery and formatting of*

	Access Services would help with the challenges for Content Providers by limiting the development, resource, cost and timeframes required."
Channel 5	*"We deliver all pre-recorded content to our website and mobile apps with subtitles and audio descriptions where available on the source content. We don't supply signed versions of assets due to the availability of subtitled versions of anything visually signed.* *We deliver all pre-recorded content to our smart TV and set top box apps with subtitles where available on the source content. There's a significant financial and technical overhead involved with re-engineering our 16+ existing smooth streaming apps to include AD, and we're investigating migration of these to platforms to our MPEG-DASH workflows in future, which would allow us to deliver both subs and AD to all our owned and operated services.* *Note there is a limitation around captured-from-live content, as current technology doesn't allow for us to take any live-subtitled content and deliver the content with these subs embedded."*
Community Channel	*"Our barriers to provision remain largely financial and technical. Financial in that we do not have the resources to produce or originate subtitle files (or the ability to broadcast them within our current playout/transmission agreement, and if they are enabled differs by platform), audio description or signed version of programmes. Technical in that we do not have the software and technology to create the files for the different platforms to the various specifications required. We broadcast signed programming from BSLBT but do not have the rights to make these available on-demand."*
Curzon	*"Our suppliers do not provide the delivery materials with AD and signing* *Significant service provision and sourcing costs involved* *Impossible to pass on the costs to our customers given the business models involved"*
Disney	*"In the UK, we understand that Sky Go does not support subtitles or audio description. Our Technical Operations team advised of some difficulties in providing subtitles to Sky for other platforms as a result of transcode farm limitations. A new transcode farm is expected in calendar year 2018."*
NBC International	*"As a business we would like to make our content as accessible as possible to all audiences. Unfortunately the technical barriers and lack of common standards across the evolving VOD sector continue to present a real challenge. As a content provider it remains frustrating that all of the larger UK broadcast VOD platforms each require different file delivery formats.* *For all of these reasons we continue to believe that policy makers must ensure that future access services obligations are proportionate, sufficiently flexible to accommodate the rapid shifts apparent the sector, and are targeted carefully at those services that can most readily afford to provide them."*
Estuary TV	*"Our barriers to providing more programmes with access services such as providing subtitling, audio description or signing is financial. We do not have the available funds to be able to employ people with the relevant skills or purchase the relevant software to help us in this regard."*
Fox	*"There are ongoing discussions with our platform partners regarding the technical process that we can deliver these services."*
Islam Channel	*"In terms of barriers to the provision of access services on ODPS these are predominantly technical and financial. We are a small to medium sized organisation and, at present, do not have the financial means to recruit more staff to increase our ODPS Content or to provide the same with acess services.*

	Notwithstanding the above, we can confirm that we are committed to increasing the number of programmes on ODPS and with access services."
ITV	*"ITV is fully committed to being accessible to all, on both live TV and on demand – it is in our commercial interests to do this where it is economic. On live TV, virtually all programmes on ITV main channel, ITV2, ITV3 and CITV are subtitled, and we provide more than double the amount of audio description programming required by Ofcom. Linear broadcast channels are still the way in which the vast majority of our content is consumed. This year we were delighted to launch Mission Employable, a new sign-presented programme for CITV transmitted during May and June which has been nominated for a BAFTA Children's Award. We have also launched an enhanced audio description service on ITVBe.* *We were gratified to be recognised by Ofcom in its On Demand Programme Services Access Services Report 2016 as one of the service providers that is "doing well" in the area of subtitling, having increased our website subtitling to 90% of programme hours in 2016, from 70% in 2015.* *We are proud to have developed the accessibility of our on demand services in the past year, with the addition of subtitles on Android devices (adding to our provision of subtitles on both iPhones and iPads and Windows Phones), and the launch of the ITV Hub on both the Xbox games console and on Amazon Prime Video, including with accessible content. This builds on our existing provision of accessible on demand content:* ● *On the ITV Hub website, 100% of pre-recorded content is available on demand with subtitles, as well as some of our most popular live shows. We continue to rapidly expand the number of programmes available.* ● *On the ITV Hub app for Android, which is our fastest-growing mobile platform, we launched audio description in 2015. It is currently available for our most popular programmes, and since the launch we have worked closely with the RNIB to identify improvements to the audio description functionality.* ● *ITV (including UTV) and STV are also offer on demand programmes with visual signing: all of the signed programmes that ITV broadcasts on TV (for which we have the appropriate rights) are also available on each on demand platform.* *We are delighted to have had some excellent user feedback on ITV's on demand access services.* ***The on-demand market is new, complex and exceptionally fast-moving*** *Linear broadcast is a very mature market, with technologies and services that are standardised and a supplier landscape that is very simple. Providing access services for linear channels is therefore relatively straightforward and economic.* *By contrast, on demand services are based on emerging and fast-changing and often proprietary technologies, with no consensus on technical standards. Broadcasters are in the difficult position of being dependent on platforms, which are often large companies based overseas, over which they have little influence.*

Our analysis shows that there are 97 different permutations of on demand video stream types and platforms, and each requires considerable bespoke work to convert and display the access services. As a matter of simple demand economics, whereas the viewing audiences are considerably smaller on demand than for linear TV, the amount of cost and effort required is considerably larger – it is literally almost 100 times as complicated for an audience that is less than 2% the size of some broadcast channels.

The good news is that this complexity in online content delivery will simplify as the market matures, just as it did with linear broadcasting, and so over time we anticipate the process becoming easier and faster. In the meantime, our strategy is to invest where we can to deliver the maximum audience benefits. Our strategy has been to invest in on demand access services on an 80/20 principle, targeting the most popular programmes on the most popular platforms.

Onerous on-demand quotas would slow the expansion of some digital on-demand platforms and lead others to close

The UK has led the way in the development of innovative online digital TV services. But each of the underlying platforms and stream types requires continual work and cost to develop and launch the service. Without such work there couldn't be anything like the range of on-demand TV services that are springing up. Access service provision is an important part of this work, but actually getting services launched at all is clearly a top priority.

Although we continue to roll out access services on on demand platforms as soon as it is technically and economically feasible, any prescriptive quotas would slow down our ability to launch on new platforms, and make it impossible to continue on others (particularly our smallest online platforms, where audiences are still too small to support the cost involved in building in access services before the platform is mature). In such circumstances, everyone would suffer reduced choice.

There is no direct comparison to linear TV quotas, because there is a large volume of content that will never attract significant catch-up audiences

Quotas relating to on-demand content are problematic due to the sheer volume of content on the services that was originally broadcast live and that attracts only very small audiences. Although ITV does subtitle the on-demand versions of our most popular live shows (such as The X Factor, Britain's Got Talent, I'm A Celebrity Get Me Out Of Here, etc), there are vast amounts of topical daily programming that attract an extremely small catch up audience (e.g. Good Morning Britain, Lorraine, This Morning and Loose Women).

Given that the total catch up audience is tiny, the level of demand for a subtitled version of these shows would be vanishingly small (even more so given that we are reliant on subtitle providers that take at least 48 hours after the original transmission to turn around a subtitled on demand version). These hours of programming would distort our ability to meet any prescriptive quotas and would create unhelpful incentives for us to direct our time and investment into subtitled

	content that very few viewers want. To be completely clear, the perverse effect of quotas would be for us to create subtitled versions of programmes that no one would watch, inevitably diverting resources away from the access services activity our audiences really want. ***ITV is committed to making improvements to the accessibility of its on demand content*** *The explosion of on demand services has provided viewers with an unprecedented number of ways to watch content. We know how important it is to make these platforms accessible to all viewers and are working hard to make this happen. The sheer number and range of technologies makes this challenging but ITV is committed to ensuring all our viewers are able to access the programmes they love."*
Journeyman pictures	*"Our branded streaming site does not have the capacity to enable optional subtitle files, only burned in files. For this reason we are unable to provide closed captioning on any of our titles on our branded service.* *More generally I would note that we have a small staff of 15 people which means we have limited time, money and resources to develop access materials on all of our titles, particularly on less financially profitable ODPS outlets such as Vimeo and YouTube VOD. I would emphasise that we do provide CCs for all of our titles which we submit to the iTunes store and to Amazon for sale."*
Liverpool FC	*"The main barrier to provision of these services has been expertise and cost. However as of August this year we hired a full time subtitler who is putting subtitles across all of our website and YouTube videos. For info since his employment he has subtitled 108 web clips, coming to a total of 10.2 hours of content. As for YouTube, the figures are 14 videos, 2.4 hours."*
Local Buzz media group	*"The barriers to provision of accessibility services are purely financial. We are a very small company and do not have the necessary staff to fulfil an accessibility provision."*
MTG	*"The services do not currently support the provision of audio description, but in terms of technical ability it is feasible.* *For Viasatsport.no and .se if programme content was made available it would be live sport where Access Services are impractical."*
Nickelodeon	*"The only barriers we have experienced to the provision of access services is where the On Demand platforms are not able or not willing to provide access services. We make very significant levels of access services available for a great majority of our programming on all platforms which support them - both linear and on-demand. However, if any platform is not capable of accessibility features then there is ultimately little that we, as a broadcaster and content provider, are able to do about that. "*

Plato Media	*"2016 The age range our product is developed for is 2 – 6 year olds. Therefore programmes which rely on reading subtitles are not considered appropriate on a mass scale (as our product is intended for children to use by themselves without parents having to be present to read instructions etc). As it is an app intended to be used on a tablet/smartphone/smart tv, there are limited opportunities for content which does not rely on sight (no possibility for braille for example). However, we have a range of interactive games which do not rely on sound (such as drawing tools, matching games, counting games etc). Our video content all has sound. There is limited quality, educational content available for children in our 2-6 year age bracket which already has sign language / subtitles / audio. Given the investment required to create this on top of licensed content, this limits the ability of a small company of our size/resources to include such programming in our line-up.* *2017 - The age range our product is developed for is 2 – 6 year olds. Therefore programmes which rely on reading subtitles are not considered appropriate on a mass scale (as our product is intended for children to use by themselves without parents having to be present to read instructions etc). We launched a new Books product in March 2017 which has an audio function and also has the text on screen. We also developed and launched a game in April 2017 in conjunction with autism specialists (game called 'Sense') which further expands the range of disabilities we consider in our programming beyond sight and hearing. We also show a program called Punky where the lead character has Down's Syndrome, a program called Signed Stories which features sign language and a show called Reading Rainbow which features a presenter reading a book out loud.* *There is limited quality, educational content available for children in our 2-6 year age bracket which already has sign language / subtitles / audio. Given the investment required to create this on top of licensed content, this limits the ability of a small company of our size/resources to include such programming in our line up."*
Rangers TV	*"As a relatively small operation covering predominantly live sport there is insufficient resource or technical capability to apply live access services to the majority of RangersTV's output."*
Shakespeares Globe	*"The only barrier we face in providing subtitles is financial. The lack of funds and the high cost of creating subtitle files prevents us from achieving and providing a suitably accessible service on the Globe Player."*
Sheffield Live	*"Financial and staff time costs are a barrier."*

STV	*"STV has identified 2 types of barriers to providing programmes with access services:* *1. Origin of programmes and resources: availability of access services vary depending on its origin.* *Subtitles: over the reported periods, 80% of programme hours originated from Channel 3 broadcast featured subtitles when accessed from STV's ODPS. Other sources of content, such as LDTPS and archive, require repurposing for access services to be made available;* *Audio description: as above. However please note point below on workflow restrictions;* *Visually signed: Where possible, STV makes visually signed content available via ODPS. Visually signed programmes tend to be repeat which do not have VOD rights.* *.* *Please note:* *No audio described or visually signed content was available for STV's ODPS during the Relevant Periods.* *The resource and other costs necessary to re-version programmes that do not feature subtitles, audio description or signing support 'at source' is significant and onerous.* *2. Origin Technical implementation: whether by the broadcaster, its technology partners for on-demand delivery, or the platform operators. STV believes that:* *Subtitles: there are no significant barriers remaining for the provision of subtitling on new programmes which have included subtitles when broadcast on STV's Channel 3 Services.* *Sport programmes are an exception however, as STV's ODPS file creation for those relies on technology that does not support the delivery of subtitles.* *With effect from September 2016, all of STV's ODPS platforms, except Youtube, provide access to subtitles for all non-live sport programmes which have broadcast with subtitles on the Channel 3 Service.* *However, there remain challenges with sourcing a reliable, cost-effective operational and technical solution to retrospectively create subtitles for programmes that did not feature them at point of broadcast or on the master tape.* *Audio description: STV is working with a view to provide audio tracks with audio description via its ODPS. However there is a wider issue around developing a user-interface that is fully accessible to the visually impaired.* *Visually signed: assuming the visually signed programmes are published (when rights permit) as discrete assets, then STV does not see specific technical barrier to their publication. However, please note above points on rights availability."*

UKTV	*"Access services provision is part of our technical and development roadmap for our UKTV Play service, and we are looking to introduce them as soon as internal resource allows."*
Vevo	*"We have the capability on some branded services to show closed captioning, however most of the metadata we receive from our Content Licensors (labels) don't include the metadata for closed captioning. It is an ongoing discussion within the music industry."*
Viasat World	*"The technical operations of our On-Demand services are overseen by multiple platform providers. Therefore the provision of further access services would be a large technical and financial challenge."*
Video Content Library	*"The identified barrier to the provision of access services on ODPS is a financial one as long as users do not wish to pay for the content".*
Confidential respondents	Key points made by confidential respondents are summarised below: • Variation of appropriate delivery formats (separate specifications for subtitles and audio description) • Further complicated by the complexity of multiple devices and apps used by a single platform when distributing ODPS. Testing and investment required for each variation, and there is a lack of engagement from platforms on this. • Some limits on access services technology on non-linear platforms (for example in relation to audio description tracks). Technical barriers relating to short turnaround time between being broadcast and made available on-demand. • Organisational and financial cost barriers – additional personnel and training would be required • Manual editing required to re-edit (e.g. to allow for different advertisement breaks). • Size of audio description content files and the consequences this has on download speeds and storage space for customers • Costs to content providers to i) deliver assets in a standard format to platforms and; ii) the subsequent onward encoding of assets to ensure high-quality video play-out. • Costs disproportionate to revenue