



Department for
Digital, Culture
Media & Sport



5 November 2019

www.gov.uk/dcms



Ofcom
Riverside House,
2a Southwark Bridge Road
London SE1 9HA

Dear 

Thank you for Ofcom's letter of 20 December 2018 which included the recommendations on a future legislative framework for improving the accessibility of on-demand content for consumers with sensory impairments. As part of a digitally-inclusive society, we agree that it is vital for on-demand content to be made more accessible to consumers, given the growing shift in viewing habits away from linear television to on-demand content.

As you know, the Digital Economy Act 2017 introduced new provisions to the Communications Act 2003 giving the Secretary of State the power to establish new accessibility requirements for on-demand providers. As part of the process for exercising the new power, the Secretary of State at the time asked Ofcom in 2017 to provide recommendations on how legislation could make on-demand services more accessible.

Thank you for your work on developing a framework for future legislation. Officials have reviewed your recommendations and have engaged with stakeholders and Ofcom counterparts. I can now confirm that the Secretary of State broadly agrees with the recommendations put forward. However, through developing the legal framework, further information on some of the key parameters of the scheme is needed in order to understand how it should operate in practice. As such, on behalf of the Secretary of State, we would request Ofcom to complete a targeted consultation - with due regard to the sensitivities around the forthcoming pre-election period - to establish these parameters and thresholds for the scheme. Specifically, we require confirmation as to Ofcom's recommendations on the thresholds for: a) which services will be in scope of the legislation; b) exempting services entirely from the scheme due to low audience share; and c) establishing alternative arrangements to fulfill the signing quota.

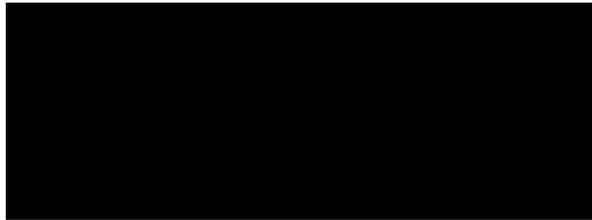
Our aim is to ensure that any legislation introduced is proportionate in its demands on businesses while ensuring that content can be used and enjoyed by the widest possible audience, regardless of disability.

It is important to remember that while the UK remains a member of the European Union, we are still required to adhere to and implement EU law, including the revised Audiovisual

Media Services Directive (AVMSD). The updated directive aligns rules for video on-demand and linear TV services, as well as introducing rules for providers of video-sharing platform services. It includes a requirement for Member States to ensure that audiovisual media services (both linear and on-demand) are made '*continuously and progressively more accessible*'.

I hope this letter has been helpful in clarifying the next steps the Department will take to improve accessibility for consumers with sensory impairments. Officials will continue to work with yours to deliver the legislation to be made under the new power as promptly as is possible.

Yours sincerely

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