



2009 Review of Television Access Services

Consultation

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Section 1

Executive Summary

Introduction

- 1.1 The Communications Act 2003 (the Act) requires Ofcom to publish and from time to time review and revise a Code setting out how applicable television services should promote the understanding and enjoyment of television by people who have hearing or visual impairments, or who have a dual sensory impairment (deafblind). The Act prescribes quotas for broadcasters (as defined by Ofcom) to subtitle 80%, sign 5% and audio describe 10% of all programmes by the tenth anniversary of the relevant date¹ for each channel, as well as a subtitling quota to be reached by the fifth anniversary (60%).
- 1.2 To reflect these requirements, Ofcom published the Code on Television Access Services² (the Code) in July 2004, and conducted the first review of the Code in 2006. We consider that changes to the access service landscape and to the economic climate since 2006 make this an appropriate time to conduct a further review of the Code.

Background

- 1.3 Television access services (subtitling, signing and audio description) help people with hearing and / or visual impairments to understand and enjoy television. The Act extended the previous requirement to provide access services from the public service broadcasters (BBC, ITV1, Channel 4 and Five) to many other broadcasters. Ofcom's Code on Television Access Services explains which channels should offer access services and how much they must provide.
- 1.4 The 2006 review of the Code explored how many people were benefiting from and using access services. Ofcom also looked to see whether changes to the Code were necessary in the light of experience and took the opportunity to reassess the guidance to providers of access services on how to subtitle, sign and audio describe television programmes.
- 1.5 Ofcom came to the following conclusions in the 2006 review, that:
- a) the method for selecting which channels should provide television access services, - channels with an audience share threshold of at least 0.05% and a limit on expenditure of 1% of relevant turnover - remained appropriate. The Code was amended to make clear that the revenues of channels that share majority ownership may be considered together if necessary when assessing whether quotas are affordable;

¹ The 'relevant date' is 1 January 1997 for BBC 1 and 2, 1 January 1998 for Channel 5, and 1 January 2000 for Channels 3 and 4 and S4C Digital. For digital television programme services that began before 29 December 2003, the date is the entry into force of the legislation, (29 December 2003). For services starting after 29 December 2003, the relevant date is the date on which provision of that service commenced.

²Code on Television Access Services (<http://www.ofcom.org.uk/tv/ifi/codes/ctas/ctas.pdf>)

- b) it was necessary to review the arrangements for providing signing on television, to see if there were better ways of meeting the needs of people who use the service. The subsequent 2007 review, *Signing on Television* resulted in new signing requirements for low audience channels³;
 - c) there was a significant lack of awareness of audio description, within both the general UK population and the visually impaired community. In response to calls for increases in the audio description quota from organisations representing the visually impaired community, Ofcom determined that awareness levels needed to grow in order to confer the maximum benefit of this service, before any increase in the quota should be considered⁴. Ofcom does not have the power to alter statutory quotas. In the event that an increase becomes appropriate, in our view, we would recommend this change to the Secretary of State for consideration.
- 1.6 In response to the review's findings, in early 2008 Ofcom facilitated a broadcast campaign to help raise awareness of audio description. This, along with the greater availability of audio description enabled equipment, make 2009 an appropriate time to revisit this issue in line with our previous commitments.

The focus of the 2009 review

- 1.7 In response to developments in legislation, technology and the economic landscape during the last three years the 2009 review focuses on three key issues:
- a) whether there is a case for looking again at the criteria used by Ofcom for selecting those TV channels which are required to provide access services, in the light of the potential impact of both the economic downturn and rising quotas on the range of television services accessible to people with visual and/or hearing impairments; and
 - b) whether there is now a case for increasing audio description quotas against the backdrop of developments in technology, and efforts to develop awareness and usage of and access to audio description by people with visual impairments; and
 - c) whether the current exemption from providing access services which is applied to channels targeting areas outside the UK should be re-examined in the light of changing circumstances.
- 1.8 In order to address the issues outlined above it was necessary to conduct a range of research and analysis.
- 1.9 This consultation does not contain separate economic or equality impact assessments. Instead the consultation document as a whole assesses the impact of our decisions and the consultation options on stakeholders (including visually and hearing impaired citizens and consumers and television broadcasters). These assessments have also been informed by our pre-consultation discussions with stakeholders and by the analysis we have conducted around provision of access services and the research into audio description.

³ See <http://www.ofcom.org.uk/consult/condocs/signing/signing.pdf> and Annex 3 of the Code

⁴ 2006 Television Access Services Review Statement. (<http://www.ofcom.org.uk/tv/ifi/codes/statement/>)

Analysis of the criteria for determining access service provision

- 1.10 We examined the possible repercussions of the economic downturn in conjunction with the structural factors affecting access service provision, and estimated the potential cost of the existing obligations once the full quotas are implemented (2014 for the majority of channels). Having ascertained that the likely impact of potential revenue falls ranging from 10% to 20%, on broadcasters' ability to afford to provide these services would be limited, we are satisfied that the existing criteria for determining which channels are liable for access service provision remain appropriate.

Audio Description Research

- 1.11 We also commissioned research exploring access to, and awareness and usage of audio description. This also looked at the attitudes of visually impaired people to the service. The study took the research conducted immediately before and after the 2008 awareness campaign and compared it with the new 2009 data obtained for this review.
- 1.12 The findings reveal that awareness of audio description grew substantially as a result of the campaign but has fallen back somewhat since. This shows that such promotions can be effective in raising awareness of the service, but that one-off campaigns needed to be reinforced by further promotion to sustain and develop awareness levels.
- 1.13 The awareness findings also revealed that:
- a) 45% of UK adults are aware of audio description. This is up 8 percentage points since the first survey (37%). The increase is statistically significant;
 - b) 50% of visually impaired respondents are aware of audio description. The 7 percentage point increase since the first survey (43%) is not statistically significant due to the survey design - as the sample size is not sufficient to statistically detect changes less than 8%. This result mirrors the 8 percentage point increase in awareness observed within the UK adult sample. Taking these factors into account, it may be that this result suggests a similar underlying increase in awareness within the visually impaired community;
 - c) awareness continues to be substantially higher among those with a severe/profound impairment, at 61%, than among those with a lesser impairment;
 - d) TV promotions are the main source of awareness within the UK adult population at 31%. Whereas visually impaired respondents cited organisations as the principal source of initial information about the service (28%), followed by TV promotions and friends and family.
- 1.14 The trends were similar in usage.
- a) 21% of visually impaired respondents have used audio description. Usage levels vary by impairment level with 38% of those with a severe/profound impairment reporting that they have used the service, compared to 14% of those with a moderate/mild impairment;

- b) The usage findings follow the same pattern as those for awareness. Usage increased in the second survey but then dropped back. Between the first and third surveys usage was stable;
- 1.15 Satisfaction levels appear high among those who use the service and the positive interest in the service from those alerted to it by the research suggests that there remains an appetite for audio description. It appears that limited awareness remains the key barrier to take up and use.
- 1.16 Separately, there has been a significant increase in the availability and choice of affordable audio description enabled equipment in recent years. Accordingly, we no longer consider the availability of such equipment to be a significant barrier to take up and usage of audio description.
- 1.17 However a lack of awareness of the service means that this equipment isn't always being fully utilised. 42% of the respondents previously unaware of audio description but who are interested in using it, unknowingly already had access to the service through their existing Sky or Virgin equipment.
- 1.18 Among those aware of the service, the knowledge gap around how to access audio description also still clearly needs addressing. 17% of respondents said they don't use audio description because they don't know how to access it. A full research report exploring these findings in detail has been simultaneously published with the review⁵.

Future Quotas

- 1.19 Having examined the evidence around audio description access, awareness, usage and equipment we have decided to consult on three alternative options for the future access services quotas. In accordance with the usual practice we have looked at a range of options from the existing statutory requirement to audio describe 10% of programming to an increase in the quota from 10% to 20% for all access service providers. This latter option is supported by the RNIB.

Option 1: No change in the existing regime. All channels required to provide access services to audio describe 10% of their transmission hours from the fifth anniversary of the date on which they started broadcasting⁶,

Option 2: an increase in the audio description quota to 20% for all channels required to provide access services. Channels would be required to reach 20% in annual increments of 2%; and

Option 3: an increase in the audio description quota to 20% for the 10 statutory PSB services⁷. These channels would be required to reach 20% in annual increments of

⁵ 2009 Research into the awareness and usage of Audio Description
http://www.ofcom.org.uk/research/tv/reports/research_audio_description/

⁶ Or for those already broadcasting in December 2003, from the anniversary of 29 Dec 2003.

⁷ BBC1, BBC2, BBC3 BBC4, CBBC, Cbeebies, ITV1, C4, Five, S4C. (In addition Channel 4 +1 would also carry 20% audio description) BBC News is exempted as audio description provision is impracticable because the continuous commentary doesn't provide the speech gaps required to insert audio description.

2%. The 48 other channels required to provide audio description would continue to be obliged to audio describe 10% of their output.

- 1.20 We recognise that there are pros and cons with each of these options as regards the impact both on users of the three access services and on those broadcasters regulated by us. We welcome the views of stakeholders on all of the options.

Television services targeting areas outside the UK

- 1.21 A significant number of multi-channel broadcasters targeting Europe and other regions have chosen to be licensed in the UK. Of these, almost 200 channels are broadcast to other EU Member States. Ofcom currently exempts these channels from the access service requirements, but as a result of technological and legislative developments we have concluded that it is appropriate to re-examine our policy in this area.
- 1.22 In line with the requirements of the new Audio Visual Media Services Directive (AVMSD)⁸ we shall be writing to all broadcasters licensed by Ofcom to transmit to other parts of the EU, to encourage them to provide access services.
- 1.23 Separately, we will be gathering evidence to determine whether or not the existing exemption for EU facing licences, should be lifted given the changes to UK disability legislation and advances in end user equipment.
- 1.24 We will require Ofcom licensed EU facing broadcasters meeting minimum access services affordability criteria to provide reports every six months, from January 2010, on the extent to which they may already provide access services on a voluntary basis, or as a result of agreements with distributors or regulators, or to detail any plans they have for doing so.
- 1.25 In addition Ofcom will also seek evidence on the technical feasibility and cost of providing access services on services/channels intended for reception in other EU Member States, in order that any scheme that may be introduced in future will avoid imposing disproportionate costs on broadcasters.
- 1.26 If, by the end of 2010, the indications are that voluntary provision of access services is inadequate, we will consider whether or not to remove the exemption on some or all of the channels licensed by Ofcom to provide services outside the UK. In this event, we would expect to consult on changes to the current arrangements in early 2011.

The consultation

- 1.27 As stated above the review addresses three key questions;
- a) do we need to re-examine the criteria for selecting TV channels required to provide access services?;
 - b) is there now a case for increasing audio description quotas?; and

⁸ AVMSD: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0027:0045:EN:PDF>

- c) should the current exemption from providing access services applied to channels targeting areas outside the UK should be re-examined in the light of changing circumstances?

- 1.28 We invite responses on the three consultation options for future audio description provision detailed in section 6 of the review before the consultation closes on 12 November 2009. We also welcome comments on the Ofcom decisions on a) and c) above which are detailed in Sections 3 and 7 respectively. More details of how to respond, along with Ofcom's consultation principles are set out in Annex 1.
- 1.29 A copy of this document in a format suitable for use by screen readers has been posted on Ofcom's website. Ofcom can also provide documents to individuals in alternative formats (e.g. Braille, audiotape or large print) on request. We may also provide translations of documents into languages other than English.
- 1.30 To request nonstandard versions of documents, please contact the Ofcom Contact Centre at contact@ofcom.org.uk, by phone at 020 7981 3040 or 0300 123 3333, or by textphone at 020 7981 3043 or 0300 123 2024. Please note that the time needed to produce an alternative format document will depend on the length of the document.

Section 2

Background

Introduction

2.1 This section explains the background to the provision of television access services and the changing circumstances since the introduction of the current arrangements in 2004.

Television access services

2.2 Television access services (subtitling, signing and audio description) help people with hearing and/or visual impairments to understand and enjoy television.

- a) subtitling for hearing impaired viewers consists of the display of dialogue and sound effects in text form at the bottom of the television screen; users have the option to turn it on or off;
- b) audio description comprises a separate audio track in which a narrator uses spaces in the original sound track to describe what is going on for the benefit of people with visual impairments; like subtitling, it can be turned on or off; and
- c) signed television programmes are either sign interpreted and incorporate the image of a signer translating dialogue and sound effects into sign language for the benefit of those who use it to communicate, or sign presented, where the main content of the programme is delivered in sign language.

Statutory and regulatory provisions

Communications Act duties

- 2.3 On 29 December 2003, sections 303 to 308 of the Communications Act 2003 (“the Act”), which deal with the provision of subtitling, signing and audio description (television access services) on television, came into force. The Act:
- a) provides that Ofcom must draw up and from time to time review and revise a code giving guidance as to how applicable television services should promote the understanding and enjoyment of television by people who are deaf or hard of hearing, or blind or partially-sighted, or who have a dual sensory impairment (deafblind);
 - b) prescribes quotas for the subtitling (80%), signing (5%) and audio description (10%) of programmes to be reached by the tenth anniversary of the relevant date for each channel, as well as a subtitling quota to be reached by the fifth anniversary (60%)⁹; and

⁹ The Act stipulates that full access service quota obligations (80% subtitling, 10% audio description and 5% signing (or alternative signing arrangements)) must be in place within 10 years of the relevant date, for ITV and channel 4 the subtitling quota is 90%

⁹. For most broadcasters this will be in 2014.

- c) provides that the code must include descriptions of programmes (which may include either all the programmes of a particular description or, in the case of channels which Ofcom is satisfied represent a special case, can include all programmes included in the channel), which should be excluded from the requirements noted above.
- 2.4 The Act also requires, in fulfilling its obligation in relation to drawing up exclusions, that Ofcom must have regard, in particular, to:
- a) the extent of the benefit which would be conferred by provision of access services in relation to programmes;
 - b) the size of the intended audience;
 - c) the number of persons likely to benefit in each case;
 - d) the extent to which the intended audience is resident outside the UK;
 - e) the technical difficulty in providing assistance; and
 - f) the cost, in the context of the above matters, of providing assistance.
- 2.5 The Act also enables the Secretary of State to lay before Parliament a statutory instrument increasing the statutory quotas referred to above or introducing a different anniversary by which time they must be implemented. The Secretary of State is required to consult Ofcom before doing so, but the ultimate decision rests with the Secretary of State to lay the statutory instrument before Parliament, and with Parliament to approve it.
- 2.6 As well as the specific duties in relation to access services, Ofcom must also act in accordance with its general duties and Community obligations under sections 3 and 4 of the Act. Of particular relevance to access services are the requirements on Ofcom to secure the availability throughout the UK of high quality television services appealing to a variety of tastes and interests, and the maintenance of sufficient plurality of television service providers (which includes proper consideration of costs). In performing its duties, Ofcom must have regard to ensuring regulatory activities are transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed. Additionally, Ofcom must have regard to the needs of persons with disabilities, the opinions of consumers and the desirability of promoting competition and innovation.

Other relevant statutory and regulatory provisions

- 2.7 The Audiovisual Media Services Directive (AVMSD)¹⁰ must be implemented by 19 December 2009. In relation to access services, this European Directive introduces a new requirement under Article 3(b) for Member States to *“encourage media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability.”*
- 2.8 Since the Directive had not been adopted at the time of Ofcom’s last review of access services in 2006, this is the first time this specific requirement has been considered as part of a review.

¹⁰ AVMSD <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0027:0045:EN:PDF>

- 2.9 Additionally, Ofcom has general and specific disability equality duties under the Disability Discrimination Act 2005 which came into force in December 2006. The duties include promoting equality of opportunity, taking into account disabilities (even if it means treating disabled people more favourably than others) and promoting positive attitudes towards disabled people. These duties which also apply to relevant groups beyond UK boundaries, apply to all elements of Ofcom's work, but have particular relevance to this review.

Publication and review of Code on Television Access Services

- 2.10 As a result of the above requirements under the Act, in accordance with our statutory duties and following consultation, Ofcom published the Code on Television Access Services ('the Code') in 2004¹¹.
- 2.11 In accordance with the Act, Ofcom had to determine which broadcasters would be obliged to provide access services. Ofcom therefore took into account the matters referred to above, including both audience benefit, and the affordability to broadcasters of providing access services (so that broadcasters do not have to bear disproportionate costs). The Code provides that:
- a) any channel with an audience share of 0.05% of UK viewers is deemed to be sufficiently popular for the provision of access services to benefit access service users; and
 - b) any channel which is able to meet the assessed cost¹² of providing access services by spending no more than 1% of its relevant turnover¹³ is deemed to be able to afford the provision of access services.
- 2.12 When publishing the Code in 2004, Ofcom explained that it would review the Code within two years in order to take account of research into how many people were benefiting from access services, how many more could do so, and why they were not using them. We also wanted to see whether changes would be appropriate in the light of experience. Ofcom also accelerated the provision of audio description by requiring that the statutory quota be achieved in five years rather than ten, and advised the Secretary of State in 2004 that there might be a case for increasing the audio description (AD) quota as suitable equipment became available, and that we would keep the matter under review. Since the introduction of the Access Services Code in 2004, the RNIB have called for the audio description quotas to be raised beyond the current maximum quota of 10% required by the Act. While it is beyond Ofcom's powers to alter the statutory quotas, we are able to recommend changes to the Secretary of State for consideration.

¹¹ Code on Television Access Services (see web link on page 3)

¹² In this context, the assessed costs are an approximation of the costs that broadcasters would bear in providing access services, based on information provided by broadcasters on the direct and indirect costs they incur, and other factors, such as the extent to which they repeat programmes. A fuller explanation can be found in paragraphs A6.17- A6.34 of the 2006 Review of Television Access Services <http://www.ofcom.org.uk/consult/condocs/accessservs/access.pdf>

¹³ Relevant turnover' has the same meaning as that set out in Ofcom's Statement of Charging Principles, 8 February 2005. (www.ofcom.org.uk/consult/condocs/socp/main/?a=87101)

2006 review

- 2.13 We looked again at this issue in 2006, in the course of a general review of access services arrangements, which (amongst other things) looked at whether the criteria for selecting channels remained appropriate, whether there were better ways of meeting the needs of sign language users than those provided by the Code, and whether there was a case an increase in the audio description quota.

Criteria for selecting channels

- 2.14 In concluding the 2006 review, Ofcom decided that the method for selecting which channels should provide television access services remained appropriate. That the audience share threshold of 0.05% should be retained for determining which channels should provide subtitling and audio description, notwithstanding the fact that this would mean that no channels aimed at ethnic minorities would be required to provide access services¹⁴. The current limit on expenditure of 1% of relevant turnover should be retained.
- 2.15 As a result of the review the Code was amended to make clear that the revenues of channels that share majority ownership may be considered together if necessary when assessing whether quotas are affordable, and if so, what Level of access service provision should apply.

Signing on television

- 2.16 Ofcom also confirmed that it would review the arrangements for providing signing on television, to see if there were better ways of meeting the needs of people who use signing. In the light of discussions with disability organisations and broadcasters, it consulted on proposals in May 2007 and published a final statement in November 2007¹⁵. In brief, channels with an audience share of between 0.05% and 1%, other than public service channels, were excluded from obligations to meet the signing quotas in the Code, and instead were required either to provide 30 minutes of sign-presented programming each month, or propose alternative arrangements that would contribute to the availability of sign-presented television. Many did so, combining to support the British Sign Language Broadcasting Trust, which funds sign presented programming on the Community Channel. Ofcom plans to review these arrangements next year

Audio Description

- 2.17 Ofcom commissioned research for the 2006 review to establish awareness and usage of all access services, and to help to determine whether there was a case for increasing audio description quotas.
- 2.18 The 2006 research report revealed a significant lack of awareness of audio description, both among the general UK population and the visually impaired community. Fewer than 40% of UK adults and 37% of the visually impaired community were aware of audio description services, compared with awareness

¹⁴ No ethnic minority channel has (or has ever had) a large enough audience share to require the provision off access services. The exemption prevents such channels from incurring costs which might otherwise threaten their survival.

¹⁵ Signing on Television, Ofcom, December 2007 (<http://www.ofcom.org.uk/consult/condocs/signing/statement/>).

levels of 90% for subtitling and 86% for signing services¹⁶. As a result the 2006 review concluded that audio description awareness levels needed to increase in order to confer the maximum benefit of this service to the visually impaired community¹⁷.

- 2.19 Ofcom had taken steps to the secure availability of audio description on all the main digital platforms, (the service is not available on terrestrial analogue television, use of which is declining and will cease with the completion of digital switchover) and recognised in the review that this development had taken place. We also noted that those who have used it value audio description highly and that it had the potential to benefit many more people than currently use it, as demonstrated by our research findings.
- 2.20 However, take-up remained disappointingly low. Against that background, Ofcom believed that, before it could consider recommending to Government an increase in the statutory quota, it needed to be able to demonstrate that the extra expense that broadcasters may incur will, over time, deliver benefits to a significant number of users. Factors that Ofcom would need to consider, included:
- a) the level of awareness and the rate at which it is growing;
 - b) the level of take-up and the rate at which it is growing;
 - c) the proportion of potential beneficiaries who are aware of audio description who make use of it;
 - d) the extent to which reasonably-priced equipment is available to receive audio description on the various digital platforms; and
 - e) the costs to broadcasters of providing audio description.
- 2.21 We also said that we thought that the main obstacle to wider adoption of audio description lay in low awareness. The independent research we commissioned showed that only 37% of potential users were even aware of audio description – indeed, given the evident confusion that some respondents showed between subtitling and audio description, we considered it possible that the awareness levels at that time were even lower. For this reason, we agreed with Ofcom’s Advisory Committee for Older and Disabled People (ACOD) and the RNIB that publicity for audio description should be stepped up, with the aim of increasing awareness. More details of the awareness-raising campaign that was carried out are given below.
- 2.22 In the light of the research, we concluded that it would make sense to look again at the factors described in paragraph 2.20 above, as well as any other relevant matters, in time to allow Ofcom to require the progressive increase in audio description to continue in 2010 and beyond, if the circumstances justified it and both Government and Parliament were minded to make changes to the legislation.

¹⁶ The awareness figures quoted here are from the 2006 review. A further measurement was taken in 2008 prior to the audio description awareness campaign, it is the 2008 figure that is quoted throughout the remainder of the document.

¹⁷ 2006 Television Access Services Review Statement. (<http://www.ofcom.org.uk/tv/ifi/codes/statement/>)

2008 campaign to promote awareness of audio description

- 2.23 Ofcom worked with all the major broadcasters and the RNIB on a campaign to raise awareness of audio description. The campaign consisted of promotional trails broadcast across the schedules of more than 70 channels over a 6 week period during February/March 2008, and was supported by a range of off-screen activity. The RNIB provided additional support for the campaign through press and radio advertisements, radio and print features, digital forums and direct mail.
- 2.24 Amongst other things, post-campaign research concluded that:
- a) the campaign was successful in immediately raising awareness of audio description, among both the core target of the visually impaired community and the UK population as a whole;
 - b) the research established that immediately prior to the campaign 37% of the UK population and 43% of the visually impaired community were aware that audio description was available on some TV programmes. Immediately following the campaign, 60% of UK adults were aware of this service. Awareness was higher among people with all levels of visual impairment, with 72% of the visually impaired sample aware of the service following the campaign;
 - c) although awareness of audio description increased immediately after the campaign, the research indicated that there was still room for further growth in both awareness and usage of audio description, as interest in using audio description was found to be high among those visually impaired people who had been unaware of the service. 62% of this group claimed that they would be interested in using the service when it was described to them (27% were 'very interested' and 35% were 'fairly interested'). This suggested that uptake of audio description could increase if awareness grew;
 - d) the research also indicated that there was a need for more information to be communicated to the visually impaired community about how to access audio description. Interviewees saying that knowing how to access audio description would encourage their use of the service doubled, from 9% of visually impaired respondents before the campaign to 18% of visually impaired respondents afterwards.
- 2.25 As part of the preparatory work for the current review, Ofcom commissioned a further survey to establish what changes there had been in awareness and usage of audio description. The survey results are summarised in Section 5.

Trends in access services provision

- 2.26 In 2009, 78 channels (accounting for just over 90% of audience share in UK households) are required to provide access services within the UK. Of these, 52 channels are required to meet the quotas in full¹⁸ (60% subtitling and 10% audio description and 3% signing or alternative arrangements for most), while 26 channels

¹⁸ 6 channels are exempted from providing AD as it is not practicable to provide AD on back to back speech services such as news or music channels

are obliged to provide lower levels of subtitling, but are required to meet their audio description quotas in full¹⁹.

- 2.27 The number of channels required to provide access services peaked at 90 in 2007, but has gradually declined since then. There are two main reasons for this:
- a) a small number of channels have been exempted from access service obligations because their share of the audience has fallen below 0.05%. This phenomenon can in part be attributed to audience fragmentation, as digital penetration increases and more and more households have access to multiple channels; and
 - b) as quotas have increased over time, so the cost to some broadcasters has exceeded the cap of 1% of their relevant turnover, and they have been released from their obligations.
- 2.28 There may be some further scope for audience fragmentation in audience share, as second TVs are purchased at switchover, and as viewing habits evolve over time. However, we consider that the likelihood of significant additional audience fragmentation between different television channels is limited by the fact that over 89%²⁰ of households already have access to multiple channels on their main television. The annual review of channels required to provide access services in the following year will enable us to monitor developments systematically.
- 2.29 There is a somewhat greater risk that the cost to broadcasters of providing access services will lead to a decline in the number of channels deemed able to afford such provision. While the unit cost of provision has declined as the access services market has expanded (see figure 1 below), the total cost of the obligations has increased as quotas have increased. At the same time, some broadcasters have found that their revenues have declined as the economic climate has deteriorated. For these reasons, in Section 6 we have looked at a range of scenarios in which broadcasting revenues fall, so that we can assess the likely outcome on the number of channels required to provide access services.
- 2.30 Ofcom carries out a review each year to determine which channels should carry access services in the following year; the most recent listed 72 channels required to provide access services in 2010²¹ (6 channels fewer than in 2009). These channels accounted for just over 90% of UK household viewing in 2008²². Of these, 52 channels are required to meet the quotas in full (60% subtitling, 10% audio description and 5% signing or alternative arrangements for most), while 20 channels will provide less subtitling, but are required to meet their audio description and signing quotas in full²³. These obligations will deliver a total of almost 370,000 hours of subtitled programming over the year and over 65,000 hours audio of described

¹⁹ Most channels with an audience share of 1% or less have opted to contribute funding to the British Sign Language Broadcasting Trust as an alternative to providing sign presented programmes on their own channels.

²⁰ Page 72 Communication Market Report 2009 <http://www.ofcom.org.uk/research/cm/cmr09/cmr09.pdf>

²¹ Channels required to provide access services in 2010. http://www.ofcom.org.uk/tv/ifi/guidance/tv_access_serv/tv_access_statement10/tv_access_statement.pdf

²² Latest available full year BARB audience share data

²³ Most channels with an audience share of 1% or less have opted to contribute funding to the British Sign Language Broadcasting Trust as an alternative to providing sign presented programmes on their own channels.

programming (across the 72 channels and the relevant +1 channels that also supply access services).

Video On Demand Services (VOD)

- 2.31 VOD allows viewers to request and access programmes at a time of their choosing via their television or computer. Ofcom recognises that this platform is becoming an increasing popular way for viewers to consume television programming, and that very few services currently provide access services. However it is not possible to address this issue as part of the review of television access services, as the Act does not provide Ofcom with any powers to require VOD providers to supply access services.
- 2.32 Nevertheless, provision of access services by VOD providers is covered by the new Audio Media Services Directive AVMSD (see 2.7) which comes into force on 19 December 2009. The Government has drafted regulations that will amend the Act to give effect to AVMSD, which will include a condition for Ofcom to take the requirement to encourage forward. Over the next few months Ofcom will be discussing with VOD providers what plans they have in this area.

Section 3

Issues for the review

Introduction

- 3.1 This section describes the key issues that we have looked at in the review of access service arrangements, including:
- a) whether there is a case for looking again at the criteria for selecting TV channels required to provide access services, in the light of the potential impact of both the economic downturn and rising quotas, on the range of television services accessible to people with visual and/or hearing impairments; and
 - b) whether there is now a case for increasing audio description quotas against the backdrop of developments in technology, and the efforts to develop awareness and usage of and access to audio description by people with visual impairments. (We do not consider it necessary to re-examine the other access service quotas, as the existing subtitle requirements are substantial, and as outlined in Section 2, we will be reviewing the recently implemented new signing arrangements in 2010); and
 - c) whether the current exemption from providing access services applied to channels targeting areas outside the UK should be re-examined in the light of changing circumstances

Impact of economic downturn

- 3.2 The current economic downturn has had a marked impact on advertising revenues and thus on broadcasters, many of whom rely (to a greater or lesser extent) on advertising revenue to finance their channel operations. Current projections suggest that advertising revenue in 2009 will decline by 15% - 20%²⁴ from 2008 levels (although subscription revenues may cushion some channels to some extent, as happened in 2008²⁵). It is also likely that advertising revenues will fall further in 2010.
- 3.3 As explained in Section 2, one of the criteria for determining whether a broadcaster should provide access services is affordability. If the assessed cost of providing access services is less than 1% of a broadcaster's "relevant turnover", we consider that the broadcaster can afford to supply these services. However lower turnover due to reduced revenues could mean that, on the basis of the existing criteria, some broadcasters could be deemed to be unable to afford to supply access services during and in the aftermath of the recession.
- 3.4 The cyclical nature of the economic climate may mean that the impact of the financial downturn is only temporary, however the structural factors of audience fragmentation and rising quotas can also cause a reduction in the number of channels required to provide access services. As previously described we have already seen some evidence of this in recent years.

²⁴ ITV report that television advertising revenues have fallen 17% in the first half of 2009. http://www.itvplc.com/files/presentation/24280/Full_Interim_Statement_FINAL_SIGNING.pdf
Currently it is not possible to determine what the full year figure will be.

²⁵ Page 68 Communications Market Report: <http://www.ofcom.org.uk/research/cm/cmr09/cmr09.pdf>

- 3.5 It has therefore been necessary to test the current approach for determining which broadcasters supply access services, to see if an affordability based approach will continue to deliver a wide range of accessible programming for access service users. Our analysis of the existing approach follows in Section 4.

Audio description quotas

- 3.6 As explained in Section 2, at the time the audio description quotas set out in the Act Ofcom advised the Secretary of State in 2004 that there might be a case for increasing the audio description quota as suitable equipment became available. In the 2006 review we looked at this issue and concluded that it would be premature to recommend such an increase until awareness improved and the level of take up became clearer.
- 3.7 In 2009 the majority of broadcasters reached the full 10% statutory quota for audio description. In general, broadcasters have been voluntarily exceeding the amount of audio description they are required to provide, some of them significantly. Earlier this year BSkyB announced that it would seek to ramp up audio description provision on its non-sports channels to 20% as soon as possible. Of the other 44 channels required to provide audio description on 10% of their output in 2009, 27 (61%) provided audio description on more than 15% of their programmes in the second quarter of the year²⁶, with some supplying well over 20%. However it should be noted that the level of audio description provision varies widely between broadcasters, in part because some channels have much higher repeat rates for their programming than others.
- 3.8 Since the last review there has also been a welcome increase in the availability of audio description enabled equipment. Audio description enabled DTT boxes are available either free (under the Government switchover help scheme²⁷) or relatively cheaply. We believe that in time this will become a standard feature in set top boxes. Audio description is also a feature of many digital televisions, and we expect it to become increasingly common as the components (chips) used to provide audio description become cheaper. However we do not know how regularly visually impaired people are replacing their DTT equipment, so it is unclear how many people currently have audio description enabled DTT equipment in their homes. It is likely that in the run up to switchover the number of audio description enabled DTT boxes and TVs in people's homes will continue to rise. In addition, satellite and cable subscription TV services have been incorporating audio description facilities in their standard equipment for some time.
- 3.9 Following on from the audio description awareness raising campaign in 2008, and acknowledging the developments in technology and audio description provision, we believe it is now an appropriate time, based on our previous commitments, to once again assess whether there is a case for recommending to Government an increase in audio description quotas²⁸.

²⁶ See Annex 3: Access Services Report (2nd quarter 2009)

²⁷ 7 million people are entitled to receive a digital help scheme box at switchover. The box features a prominent AD button on it and is available to everyone registered blind or partially sighted and to everyone over 75.

²⁸ To change the quota the Secretary of State would have to make an order (statutory instrument) to increase the percentage quota and make consequential changes which would then need to be approved by Parliament.

- 3.10 However as explained earlier, higher quotas are more costly and therefore it is possible that raising the audio description quota could lead to fewer channels providing any of the access services. This could have an adverse effect on the users of all three services and lead to a reduction in the overall provision of access services. Therefore any consideration of an increase in quotas must take into account the possible knock on effects of such a decision.
- 3.11 To help inform our analysis, we commissioned research for this review to examine levels of audio description awareness and usage, as well as access to audio description. The findings are detailed in Section 5. We have also developed and analysed a set of options for a higher audio description quota to establish what the overall effect on provision would be. This can be found in Section 6.

Television services targeting areas outside the UK

- 3.12 A large number of multi-channel broadcasters targeting Europe and other regions have chosen to be licensed in the UK. Of these, almost 200 channels are broadcast to other EU Member States. Ofcom does not currently require these channels to provide access services, but in the light of the changes to both European and domestic legislation outlined in Section 2, and advances in domestic receiver equipment that make access services accessible to more viewers we consider that it is appropriate to gather evidence to help us determine whether the current exemption should be lifted. A more detailed explanation of our rationale and plans is laid out in Section 7.

Section 4

Analysis of the criteria for determining access service provision

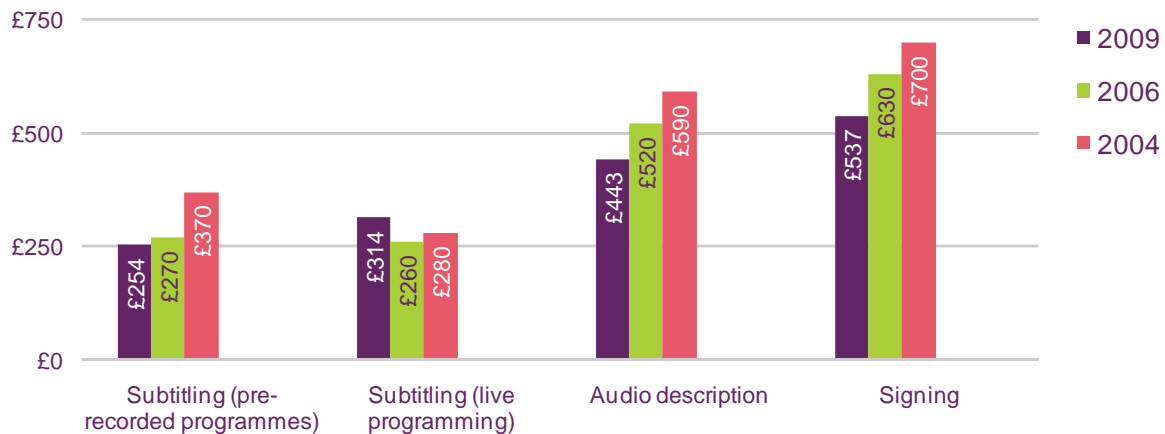
Introduction

- 4.1 This section sets out Ofcom's analysis of the repercussions of the economic downturn in conjunction with structural factors, and whether this suggests that the current arrangements for selecting channels required to provide access services, should be re-examined.

Impact of economic downturn

- 4.2 The 2006 review invited views on the appropriateness of the criteria for selecting channels required to provide access services (channels with an audience share threshold of at least 0.05% and a limit on expenditure of 1% of relevant turnover), and concluded that they remained appropriate. However, in light of the economic downturn which has put pressure on broadcasters, we consider it prudent to examine whether continuing to apply them in their current form is likely to secure access services on a wide range of TV channels over the next few years.
- 4.3 The reason for this is that there has been a gradual reduction in the number of channels required to provide access services since 2007, and it is possible that the economic downturn could exacerbate this trend, by making it more difficult for broadcasters to afford the provision of access services.
- 4.4 To test the possibility that worsening revenues and rising quotas could significantly reduce the number of channels providing access services, we have conducted a sensitivity analysis to look at the potential impact of a fall in total broadcasting revenues of 10%, 15% or 20% from 2008 levels²⁹ (which had already declined from 2007 levels). The analysis also permits us to ascertain the extent to which rising quotas during the next five years may offset any reduction in the number of channels required to provide access services.
- 4.5 The calculation for estimating the change in provision is based on revenue, the cost of producing access services, audience share, and the size of the quotas. We have assumed that other than revenues, the other three factors which, under Ofcom's current approach, affect the level of provision of access services, remain unchanged. This is because it is not possible to predict exactly what changes may occur by the time the full obligations are implemented. However the existing data is sufficiently accurate to provide a good indication of the likely outcome. These additional factors are:
- a) **Cost of provision** – we have used data collected from broadcasters in early 2009 on the hourly rates that they pay for subtitling, audio description and signing services. The assessment of costs based on these data may be a conservative assumption, as costs have tended to decline in recent years, and may continue to do so. However, we acknowledge that some broadcasters have long-term contracts with suppliers which may delay their ability to reduce costs. Figure 1 below shows how access service costs have changed in recent years;

²⁹ The latest full year revenue data available to Ofcom.

Figure 1: The average per hour cost of access service provision over time

Source: 2009 Ofcom information request to broadcasters

- b) **Audience share**³⁰ - while there will be some changes in this area during the next five years we consider that further significant fragmentation is unlikely, given the scale of digital television take up (89.2%³¹) to date. Further changes due to future channel launches or changes in channel content cannot be accurately estimated at this stage;
- c) **Quotas** - we have used the quotas that will be in force once the current obligations are fully implemented, (80% subtitling, 10% audio description and 5% signing / alternative arrangements). For most broadcasters this will be in 2014.

4.6 We have applied the sensitivities for revenue reductions and the three factors above to the model from which we derive the list of channels required to provide access services. The results are set out in Figure 2 below. They show that, even if overall revenues dropped by 20% from their 2008 levels, a significant number of channels would still be able to afford to provide access services under the existing arrangements – i.e. the cost of provision would still be less than 1% of turnover and that the channels would continue to account for a high proportion of UK household viewing.

Figure 2: Effect of revenue drops on number of channels providing access services (and total audience share of these channels)

Current position (2009)	10% revenue drop	15% revenue drop	20% revenue drop
78 (90.68%)	64 (86.53%)	61 (85.83%)	61 (85.83%)

4.7 The main reason why provision is likely to be sustained is that many of the channels are provided by large broadcasting groups for whom the costs of providing access services are likely to remain a relatively small component of their overall revenues. This includes channels operated by the public service broadcasters and by BSkyB.

³⁰ Latest full year audience share data available is for 2008.

³¹ Page 72 Communication Market Report 2009 <http://www.ofcom.org.uk/research/cm/cmr09/cmr09.pdf>.

- 4.8 Accordingly, we conclude that it is not necessary or appropriate to change the approach to selecting channels described in Section 2. The approach is well understood and was the subject of consultation in 2004 and 2006, when no practicable alternatives were suggested. It continues to deliver access services on a broad range of channels, whilst allowing channels whose revenue or audience share fall below the relevant thresholds to discontinue the provision of access services, ensuring that the burden on individual broadcasters is not disproportionate³². It is, of course, possible that some channels facing a 15% or 20% fall in revenues might withdraw from the market for other reasons.
- 4.9 In concluding that the approach remains appropriate, we have also considered the likely impact upon people served by channels addressing minority audiences, such as those comprising different ethnic groups and gays and lesbians. None of these channels currently achieves (or has ever achieved) an audience share of 0.05% and so none is currently required to provide access services. This means that those members of minority groups who are also hearing impaired or visually impaired do not get the benefit of access services on some channels which may be of particular interest to them. However we remain of the view that the current arrangements strike an appropriate balance in the interest of the different minority communities, since this avoids burdening smaller, specialist channels with costs that might otherwise threaten their viability.

Ofcom invites comments on our conclusion that the existing method for determining access service provision remains fit for purpose.

³² Additionally, the Code allows broadcasters to apply for relief should their financial circumstances change. To date no broadcaster has requested assistance in this area, suggesting that the current system continues to strike an appropriate balance.

Section 5

Audio description research

Introduction

5.1 This section sets out the research evidence on audio description, as regards access to and awareness and usage of audio description, as well as the attitudes of visually-impaired people to the service, and how they found out about it.

Developments since 2006

5.2 Our statement on the 2006 review said factors that we would need to consider when deciding whether to recommend an increase in audio description quotas would include:

- a) the level of awareness and the rate at which it is growing;
- b) the level of take-up and the rate at which it is growing;
- c) the proportion of potential beneficiaries who are aware of audio description who make use of it;
- d) the extent to which reasonably-priced equipment is available to receive audio description on the various digital platforms; and
- e) the costs to broadcasters of providing audio description.

Availability of audio description equipment

5.3 As described in 3.8 there has been a significant increase in the availability and choice of affordable audio description enabled equipment in recent years. Accordingly, we no longer consider the availability of such equipment to be a significant barrier to take up and usage.

Costs to broadcasters

5.4 As regards the costs incurred by broadcasters, these are taken into account in the 1% cap on relevant turnover explained in Section 2. As Figure 1 in Section 4 shows, the variable (hourly) costs have fallen gradually since 2004. Accordingly, even if audio description quotas were increased, the cap would provide a safeguard against the imposition of a disproportionate burden upon broadcasters. Nonetheless, there may be reasons why the costs to broadcasters of increasing audio description quotas could be seen as unjustified in some cases. For this reason, our analysis of the options we have set out in Section 6 takes account of the fact that audio description provided by channels with relatively large audiences is likely to confer a greater benefit to audio description users than audio description provided by low audience channels.

Research and analysis

5.5 The analysis included in this section focuses on the key findings of the more detailed *2009 Research into the awareness and usage of Audio Description* report published

simultaneously with the review³³ and draws on findings from the three research surveys executed during 2008 and 2009. The first was carried out in January 2008 prior to the awareness campaign. The second was conducted immediately after the close of the campaign in March 2008, and the third was carried out in May/June 2009.

- 5.6 Each survey was conducted via telephone interviews and involved 2 samples: a nationally representative sample of UK adults and a specifically recruited sample of people with a visual impairment. Among the visually impaired sample, recruitment quotas were set by level of impairment, using three categories; mild, moderate and severe/ profound³⁴ in order to interview people with different levels of impairment. Many questions in survey 3 were the same as those used in surveys 1 and 2 to enable comparison over time.
- 5.7 In 2009 as in the research surveys in 2008, people with a visual impairment are a hard to reach sample and a range of methodologies were required to recruit respondents. As a result, the sample sizes are relatively small (at 343 people), although reliable. To account for variation in recruitment methods between surveys, comparisons between surveys are based on a confidence level of 99% which means that in 99 cases out of 100 these differences would be found. Also due to the visual impairment sample sizes, comparisons over time are made at the overall sample level, rather than sub-group level³⁵.
- 5.8 In addition, because of the range of recruitment methodologies used in each survey, the demographic profile of the visually impaired respondents varied between surveys. To enable like for like comparisons between the surveys the visual impairment sample from surveys 1 and 2 had to be adjusted in terms of age, visual impairment type and membership of organisation to match the profile of survey 3, to prevent the original differences in the three sample profiles influencing results. This process is known as “weighting”. The weighting scheme was devised following discussion between Ipsos MORI and Ofcom based on observations of variation in the results by these demographic variables³⁶.
- 5.9 The survey conducted with the general public was nationally representative and therefore not weighted.

Awareness

- 5.10 In line with the criteria laid out in the 2006 review statement the research looked at the level of awareness of audio description and the rate at which it had grown. Results from the second survey conducted immediately after the awareness campaign showed a spike in increased awareness which was followed by some drop off in the third survey. We consider that a comparison between the first and third

³³ 2009 Research into the awareness and usage of Audio Description
http://www.ofcom.org.uk/research/tv/reports/research_audio_description/

³⁴ Mild: ranging from difficulties seeing small details on a screen to recognising a friend across a road; Moderate: ranging from difficulties recognising a friend across a room to reading a newspaper headline; Severe/ Profound: ranging from difficulty recognising a friend if he/ she is at arm’s length to total blindness.

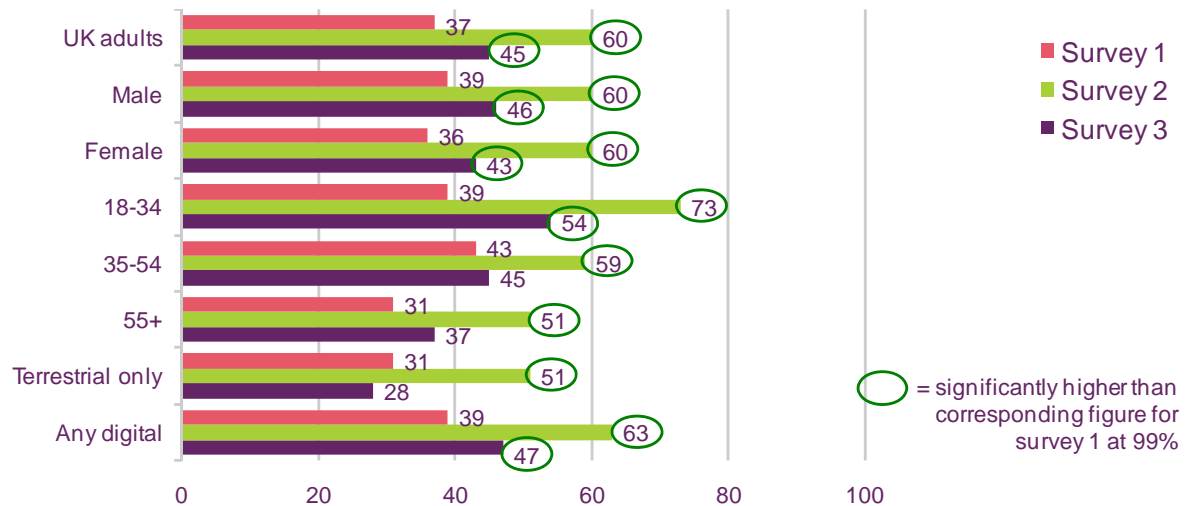
³⁵ See footnote 33 above

³⁶ Note: the results for the VI sample for surveys 1 and 2 reported here are restated based on weighted data as outlined

surveys offers a better indication of awareness over time, as they were not carried out immediately after a publicity campaign. Where the impact of the campaign is directly relevant to the longer term findings we also refer to data from the second survey.

Awareness amongst UK adults

Figure 3: Awareness among UK Adults



Source: Ipsos MoriBase: All UK adults

Survey 1: UK adults (1018); Male (489); Female (529); 18-34 (280); 35-54 (366); 55+ (372); Terrestrial only (179); Any digital (833)

Survey 2: UK adults (1008); Male (476); Female (532); 18-34 (257); 35-54 (374); 55+ (377); Terrestrial only (185); Any digital (807)

Survey 3: UK adults (1000); Male (458); Female (542); 18-34 (291); 35-54 (354); 55+ (353); Terrestrial only (101); Any digital (884)

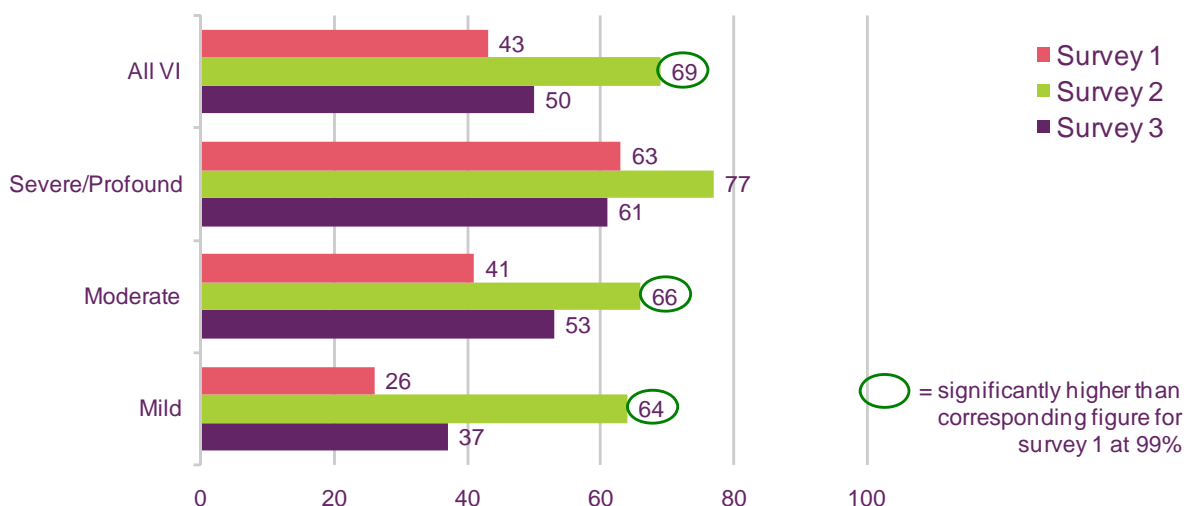
Significance testing carried out at 99% level shows significant decrease between Survey 2 and Survey 3 for the sample as a whole, male, female, 18-34 year olds, 35-54 year olds, those over 55 years old, those with access to terrestrial TV only, and those with access to digital services

- 5.11 Awareness of audio description amongst UK adults is important, as many would be able to help visually-impaired relatives or friends to find out about audio description, and potentially assist them to obtain it.
- 5.12 The most recent survey showed that 45% of UK adults were aware of audio description. This is an increase of 8 percentage points since the first survey (37%), but a drop of 15 percentage points since the second survey (60%). While it is disappointing that awareness has fallen so far since the campaign, some drop-off was to be expected, and the most recent survey shows a statistically significant increase in awareness compared to survey 1.
- 5.13 Awareness has increased significantly among both males and females and 18-34s demographic groups between the first and third survey. However as the graph above shows the high levels of awareness recorded during the second survey have not been retained:
- UK adults aged 18-34 awareness of audio description increased 15 percentage points from 39% in the first survey to 54% in the most recent survey. This may reflect the fact that the few awareness promotions that are still being aired, appear primarily on the Channel 4 and MTV channel groups which have sizeable young audiences;

- b) awareness among 35-55 year olds has remained steady at 45% from surveys 1 to 3 (43% and 45% respectively);
- c) awareness within the over 55's group was reported at 31% in the first survey and 37% in the third survey, however the difference is not statistically significant;
- d) among those UK adults with digital television, awareness has grown significantly by 8 percentage points, from 39% in the first survey to 47% in the latest survey. Awareness among those with digital television remains higher than among those with just analogue television. This is unsurprising as there was a higher level of promotion on these services throughout the campaign and, as outlined above, this has continued on some services;
- e) awareness amongst those with analogue television was reported at 28% in the latest survey, compared with 31% in the first survey. This difference is not statistically significant.

Awareness amongst visually impaired respondents

Figure 4: Awareness among visually impaired respondents



Source: Ipsos MORI
 Base: VI respondents Survey 3: 343 (Mild: 112, Moderate: 110, Severe/ Profound: 111); Survey 2: 296 (Mild: 120, Moderate: 62, Severe/ Profound: 114) and Survey 1: 280 (Mild: 104, Moderate: 75, Severe/ Profound: 101)
 Significance testing carried out at 99% level shows significant decrease between Survey 2 and Survey 3 among all VI sample and among those with mild VI.

- 5.14 Clearly, the main target for increasing awareness is potential users, that is, visually-impaired people, so an understanding of how many are aware of audio description is important.
- 5.15 In the first survey, 43% of visually impaired respondents were aware of audio description; this as reported at 50% in the most recent survey. The 7 percentage point increase is not statistically significant due to the survey design - as the sample size is not sufficient to statistically detect changes less than 8%. However this result mirrors the 8 percentage point increase in awareness observed within the UK adult sample. Taking these factors into account, it may be that this result suggests a similar underlying increase in awareness within the visually impaired community.

- 5.16 Overall awareness levels reported within the visually impaired sample are not significantly higher than those in the UK adult population at large (50% compared to 45% respectively); this is despite the potential relevance of the service for this interest group. However as in previous surveys the research reveals that awareness of audio description remains higher for those with a severe or profound impairment than those with milder impairments.
- a) 61% of respondents with a severe/profound visual impairment were aware of the service in the most recent survey. The level of awareness has remained stable between the first and third survey (the change from the first survey is not statistically significant). However the positive growth in awareness immediately after the campaign has not been retained.
 - b) 53% of respondents with a moderate impairment and 37% of those with a mild impairment were aware of the audio description in the most recent survey. However, in line with the headline figure, the difference in reported awareness since the first survey is not statistically significant.
- 5.17 Awareness by age group in the most recent survey is much more consistent within the visually impaired sample than among UK adults as a whole. 51% of 18-34 year olds, 53% of 35-54 year olds and 46% of those over 55 are aware of the service.
- 5.18 High levels of awareness can be found among those who are members of visual impairment organisations. 77% of respondents in the most recent survey who were members of organisations have heard of audio description. Whereas only 42% of non members know about the service. Respondents with a severe profound impairment are much likely to belong to sight impairment organisation.

How people found out about audio description

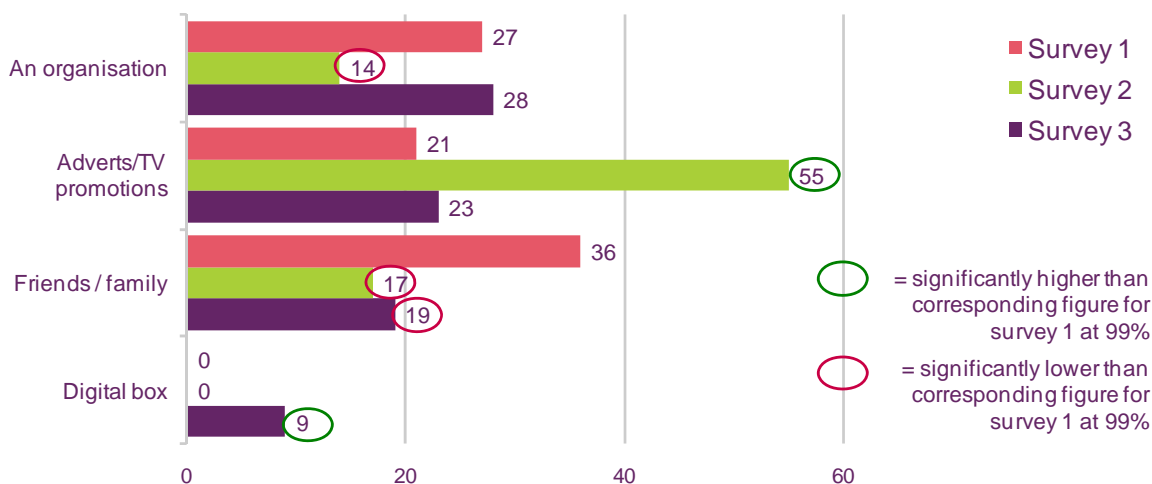
UK adults

- 5.19 31% of UK adults discovered audio description through TV promotions/adverts in the most recent survey. This is similar to the first survey (30%). However the proportion of UK adults citing TV promotions/adverts as their source of awareness was significantly down on the second survey (60%), following the same trend as awareness.

Visually impaired respondents

- 5.20 Organisations are the most cited initial source of information for audio description for visually impaired respondents in the most recent survey (28%) followed by TV promotions/adverts and friends and family.

Figure 5: How visually impaired respondents found out about audio description over time

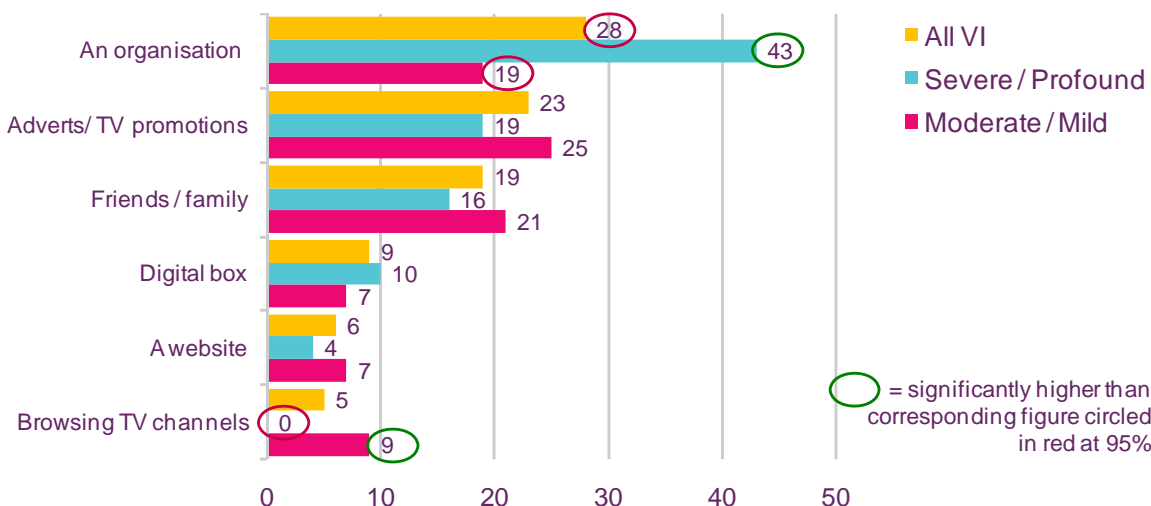


Source: Ipsos MORI

Base: All VI respondents who are aware of Audio Description (Survey 3: 172, Survey 2: 204, Survey 1: 120). Significance testing carried out at 99% level shows significant increase between Survey 2 and Survey 3 for 'an organisation', and a 'Digital box', and a significant decrease for 'Adverts/TV promotion'.

5.21 TV promotions/adverts are mentioned by 23% of visually impaired respondents in the most recent survey, compared to the first survey (21%). However as with UK adults TV promotions/adverts were mentioned less in the most recent survey than in the second survey, again demonstrating the considerable short term impact of the awareness campaign.

Figure 6: How visually impaired respondents found out about audio description by level of impairment



Source: Ipsos MORI

Base: All VI respondents with a moderate/mild visual impairment who are aware of AD (99 – small base size) and All VI respondents with a severe/profound visual impairment who are aware of AD (68 – small base size)

5.22 Breaking this down by impairment it is possible to see that:

- a) organisations were the main generators of awareness among respondents with a severe or profound impairment. As respondents with severe/profound impairments are more likely to be members of such organisations, this helps to

explain why awareness among organisation members is so high, and why awareness among respondents with a severe/profound impairment is so much higher than those with milder impairments.

- b) TV promotions/adverts generated most awareness among those with moderate or mild impairments, although organisations and friends and family also played a large role.

Usage

5.23 There is currently no way of accurately measuring the number of audio description users or the volume of audio described programming that is consumed in the UK. To gain some insight into the level of take up and the proportion of potential beneficiaries who are making use of the service we asked a series of questions around usage of, and attitudes to audio description.

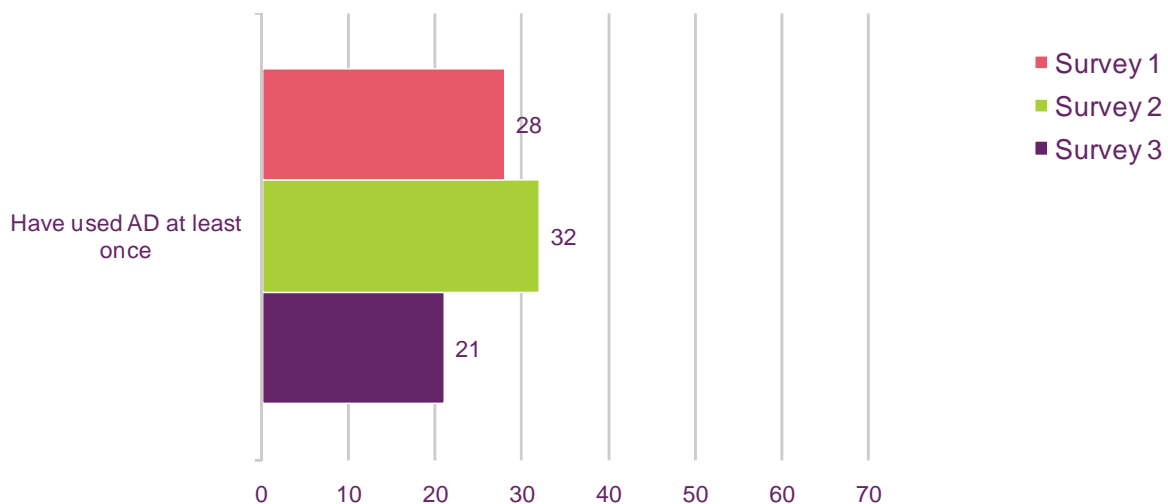
Usage amongst UK adults

5.24 Among all UK adults the level of reported usage of audio description has remained stable over time, with the proportion of those who have used the service at least once in surveys 1, 2 and 3 being 8%, 9% and 11% respectively.

Usage amongst visually impaired respondents

5.25 Within the visually impaired sample the most recent research indicates that 21% of respondents have used audio description. The level of usage has remained statistically stable compared to survey 1 (28%), but as with the awareness findings, usage has decreased significantly compared to survey 2 (32%).

Figure 7: Usage of audio description by visually impaired respondents over time



Source: Ipsos MORI

Base: All VI respondents (Survey 3: 343, Survey 2: 296, Survey 1: 280)

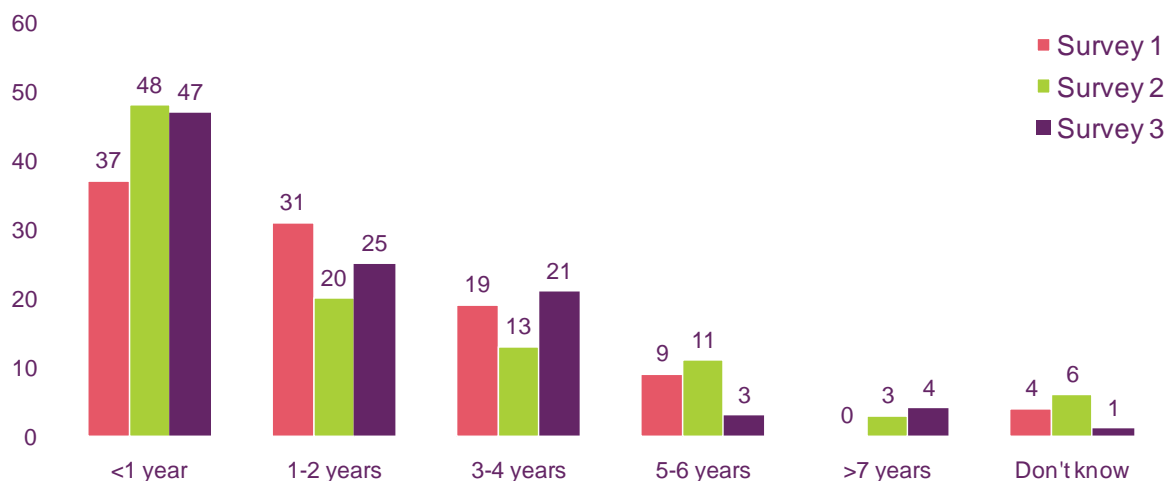
Significance testing carried out at 99% level shows significant decrease between Survey 2 and Survey 3

5.26 Usage levels vary by impairment level, with 38% of those with a severe/profound impairment reporting that they have used the service, compared to 14% of those with a moderate/mild impairment. Also 29% of those with a severe/profound VI say they use AD regularly compared to 13% of all those with a VI.

5.27 Usage of audio description is also related to awareness of the service. As there has hasn't been a statistical increase in awareness it is unsurprising that the level of usage remains statistically unchanged.

5.28 Around half (47%) of visually impaired respondents have been using audio description for less than a year. This finding is consistent with the previous surveys.

Figure 8: Take up of audio description over time



Source: Ipsos MORI

Base: All VI respondents who have used Audio Description (Survey 3: 73, Survey 2: 95, Survey 1: 77 – small base size)

Significance testing carried out at 99% level

Attitudes to audio description

Audio description users

- 5.29 Satisfaction levels among those who have used the service remain very high in the most recent survey.
- 82% of the visually impaired respondents in the most recent survey who have used audio description say they are satisfied with the quality of the service, with over a quarter claiming to be very satisfied. This figure is consistently high across all three research surveys.
 - 96% of users say audio description improves the quality of their understanding and enjoyment of TV programmes
 - While 70% disagreed with the statement, 22% of users agreed that “I sometimes find audio description on TV patronising”.
- 5.30 84% of users say they would use audio description more if it was available on more programmes, with 34% saying their usage would increase a great deal. This finding is consistent with the previous surveys.

Non-users

- 5.31 Several results indicate that there is an appetite for audio description among visually impaired respondents previously unaware of the service:

- a) 61% said they would be interested in using the service;
 - b) this rose to 68% when respondents were played a clip of audio described programming; and
 - c) the figure was even higher among respondents with a moderate impairment at 70% and severe/profound impairment at 84%.
- 5.32 Although hearing a short clip is very different from experiencing audio description on programmes in the home, it does suggest a latent demand from visually impaired respondents previously unaware of the service.
- 5.33 Unsurprisingly, in line with other findings, this indicates that the service is more attractive to those with more severe impairments than to those with mild to moderate impairments who have a greater choice of options to help them enjoy TV such as, for example, larger TV screens.
- 5.34 The research also established that 42% of the respondents previously unaware of audio description but who are interested in using it, unknowingly already had access to the service through their existing Sky or Virgin equipment. It was not possible to measure how many more respondents may unknowingly have access via Freeview. This suggests that improving awareness on how to access the service could generate fast take up.
- 5.35 Even among respondents who are aware of audio description there remain technical obstacles to use. 17% of respondents said they don't use it because they don't know how to access it and 13% of those aware of audio description still cited not having the right equipment as the barrier to usage.
- 5.36 40% of visually impaired respondents who know about the service but don't use it said that it is because they don't need it. However separately a just under a third (29%) of all visually impaired respondents said they would use/increase usage of audio description if their sight got worse.

Assessment

Awareness

- 5.37 The increase in awareness among UK adults is encouraging. Word of mouth is a powerful and important way of reaching those who may benefit from audio description. Although the evidence for an increase in awareness among the visually impaired community is not significant in statistical terms, it does appear to echo the trend seen in the UK adult findings and possibly indicates a positive direction of travel for awareness among visually-impaired people.
- 5.38 The spike in awareness immediately after the onscreen and offscreen campaign, and that fact that TV promotions/adverts were cited as the main source of awareness shows that such promotions can be effective in raising awareness of the service, but that one-off campaigns needed to be reinforced by further promotion.
- 5.39 There is clearly a role for broadcasters and platform providers to play in building and sustaining both awareness of the service, and an understanding of how to access audio description. Organisations providing services to potential users and representing their interests are also well placed to publicise audio description to their members.

Usage

- 5.40 The findings around usage indicate that it has remained stable over time. While we cannot be sure why usage has not increased (the sample is too small to analyse in any depth), it is likely that it is because there was no statistically significant increase in awareness within the visually impaired sample.
- 5.41 Satisfaction levels appear high among those who use the service and the positive interest in audio description from those alerted to it by the research suggests that there remains an appetite for the service. It appears that limited awareness remains the key barrier to use.
- 5.42 As in the previous research report, it remains the case that usage of audio description is currently related to severity of visual impairment as well as to awareness levels. The research also continues to indicate there is the potential for usage across the various levels of impairment to grow if awareness is increased further. However there is still a considerable way to go in developing awareness of the service among all groups in society.
- 5.43 In addition, the knowledge gap around how to access audio description, still clearly needs addressing. Improving understanding of how to get the service could result in the usage rate increasing quite quickly, based on the finding that at least 42% of visually impaired respondents interested in using audio description already have enabled equipment in their homes.
- 5.44 In the light of these findings we consider that further promotion (in accordance with paragraph 32 of the existing Code) to boost awareness will be a necessary supplement to all of the options for the future provision of audio description laid out in Section 5. We will discuss with broadcasters and other stakeholders how best to achieve additional promotion.

Section 6

Options for future provision of audio description

Introduction

6.1 In this section, we set out the options for the future provision of audio description on which we are consulting, and invite views on which is the most appropriate.

Selection of options

6.2 In accordance with the usual practice, we have looked at a variety of options, ranging from the status quo to an increase in the statutory audio description quota from 10% to 20% for all channels required to provide television access services. In doing so, we took account of discussions with stakeholders, including disability organisations, access services users and broadcasters, in order to ensure that the options on which we are consulting cover the full range of views they expressed. We have also taken account of the views of Ofcom's Advisory Committee on Older and Disabled People (ACOD).

6.3 In addition we are required by statute to have due regard to the need to eliminate unlawful discrimination based on race, disability and gender equality. An Equality Impact Assessment (EIA) is our way of fulfilling this obligation. Ofcom has undertaken a full EIA for this review because of the relevance of the proposals to people with hearing and/or visual impairments and we have considered the equality impact of the three policy options on these groups in the analysis below. Similarly we have also incorporated the elements of the impact assessment relevant to the three policy options within the following analysis.

6.4 In selecting 20% as a sensible upper limit for possible increases to the quota, we took account of the RNIB's view that not all programmes are suitable for audio description, and that efforts to deliver higher quotas could encounter practical difficulties. We considered whether there would be merit in examining the option of increasing audio description quotas by the smaller margin of 5%, from 10% to, 15%. Our view is that this would deliver little real benefit to users, as 44 of the 58 channels currently required to provide audio description at 10% are already describing more than 15% of their programming³⁷, and because (based on the current approach) the incremental increase for those broadcasters currently audio describing less than 15% of their output would be just 1% a year over the next five years.

6.5 We also looked at whether there was a case for applying quotas to particular times of the day (for instance in evening peak time), to ensure provision is available when most viewers are watching. However, our research suggests that viewing patterns among visually impaired viewers are broadly similar to the rest of the UK population although this varies slightly by impairment³⁸. Groups lobbying for the interests of visually impaired viewers point out that many are retired or unemployed and therefore at home during the day, and may value the opportunity to access daytime television. In addition, there was little enthusiasm amongst broadcasters for

³⁷ See Annex 3: Access Services Report (2nd quarter 2009)

³⁸ 2009 Research into the awareness and usage of Audio Description

restricting their ability to make judgements about what would benefit their audiences most. Accordingly, we have not pursued this option.

6.6 We also explored whether different audio description quotas should be applied to broadcasters depending on whether they meet Level 1, 2, or 3 obligations. Level 1 broadcasters are required to deliver 100% of the subtitling requirement, Level 2 broadcasters must provide 66% of the quota and those at Level 3 are required to supply 33% of the quota³⁹. Currently all broadcasters providing access services any Level are required to deliver the full audio description and signing quotas applicable in that given year. Subtitling is treated differently because of the large volume of provision required and the high associated costs. We considered whether we should apply the same stepped approach to audio description requiring 20% audio description from all channels operating at Level 1, with a smaller percentage of the quota required at Levels 2 and 3. However we discounted this option having established that this was not very effective in delivering increased provision and could result in a significant number of channels providing less audio description in 2015 than in 2010.

6.7 Against this background, we have identified three main options:

- a) **Option 1:** the status quo. Under this option, all channels required to provide access services are required to audio-describe 10% of their transmission hours from the fifth anniversary of the date on which they started broadcasting, or for those already broadcasting in December 2003, from the fifth anniversary of that date;
- b) **Option 2:** an increase in the audio description quota to 20% for all channels required to provide access services. Channels would be required to reach 20% in annual increments of 2%; and
- c) **Option 3:** an increase in the audio description quota to 20% for the 10 statutory PSB services⁴⁰. These channels would be required to reach 20% in annual increments of 2%. The 48 other channels required to provide audio description would continue to be obliged to audio describe 10% of their output.

6.8 Any increase in the audio description quota to 20% (options 2 and 3) would be implemented in 2% annual steps from 2011 onwards, given the need for secondary legislation and a reasonable notice period for broadcasters (therefore all channels that will have been obliged to provide 10% audio description for at least one year in 2011 would reach the full 20% quota in 2015).

6.9 In order to evaluate these options we have estimated their effects once the relevant quotas are fully implemented for the majority of broadcasters⁴¹. In assessing the costs and benefits of each option, we have looked at what each might deliver in when

³⁹ In year 5 the subtitling obligation is 60%. Level 1 (100% of the annual quota) = 60%, Level 2 (66% of the annual quota) = 40% Level 3 (33% of the annual quota) = 20% where the subtitling quota

⁴⁰ BBC1, BBC2, BBC3 BBC4, CBBC, Cbeebies, ITV1, C4, Five, S4C. (In addition Channel 4 +1 would also carry 20% audio description) BBC News is exempted as audio description provision is impracticable because the continuous commentary doesn't provide the speech gaps required to insert audio description.

⁴¹ Newer channels will reach the full quotas 10 years after the relevant date (usually 11 years after they start broadcasting)

the obligations are fully implemented, taking into account the assumptions described below.

- 6.10 In Annex 3 we include our most recently published access services report which sets out the level of access services currently required of broadcasters, and the volume of provision they are currently delivering.

Modelling assumptions

- 6.11 In exploring the three options we have made the following assumptions:
- a) given that advertising revenues have fallen since 2008 (the latest period for which we have comprehensive data) we have scaled back the revenue figures we are using by 10% to reflect the impact of the downturn⁴²;
 - b) the direct and indirect costs of providing access services will be the same as in 2009. Based on previous experience, this seems likely to be a conservative assumption, as costs have declined gradually in recent years;
 - c) the audience share for channels will remain broadly the same as in 2008. In practice, while there are likely to be changes, the fact that a large majority of homes already have access to multichannel television is likely to mean that the fragmentation of audience shares is likely to slow⁴³.

Measuring costs and benefits

Benefits

- 6.12 We have measured the benefits of each option to hearing and visually impaired people simply in terms of the volume of hours of programming they deliver to access service users. We refer to the total volume of programming in a year containing a particular access service as audio described/subtitled 'broadcast hours'.
- 6.13 For practical reasons, our assessment of the benefits and disbenefits of changes to the audio description quota is limited to the availability (as opposed to the usage) of programming containing access services, as we do not have reliable data on how many hearing and visually impaired people use subtitling and audio description. Furthermore, we are not able to measure the desirability of audio description on one type of programme over another. Ideally, we would want to take into account not just usage but also viewers' preferences for different types of programming. However, it is not possible to achieve a measure of "actual" benefit conferred due to the lack of this detailed data on usage/preference for these services.
- 6.14 In effect we have assumed that - for the levels of provision we are examining - an hour of programming containing access services broadcast on a more popular channel is likely to generate more additional hours of actual viewing than an hour broadcast on a less popular channel, as more people are likely to watch it. If we represent benefit to users in terms of additional hours of *viewing*, then an extra hour of access service provision on a more popular channel is likely to generate a greater benefit than an additional hour on a less popular channel.

⁴² Based on the discussion in Section 4 about the reduction in revenues since 2008.

⁴³ However it is possible that further fragmentation will occur when digital second sets are purchased at switchover and as viewing habits evolve over time.

6.15 This is based on a number of assumptions:

- a) access service users have similar viewing pattern to the average UK viewer. (We know this to be accurate in terms of the types of programmes and times of day access service users view. Similarly as with the general population, older access service users consume more TV than younger access services users. However it should be noted that there are differences to the average UK viewer including that a larger proportion of the access service user demographic is likely to be older, as impairments tend to be more likely with age, and therefore a larger proportion of this demographic may watch more television than the average viewer. Also, people with hearing impairments tend to consume slightly more hours of television than either people with visual impairments or the general population and that the volume of hours consumed also varies depending on the severity of impairment⁴⁴);
- b) that additional audio description provision does not result in a change in viewing patterns or preferences. However the research suggests that additional audio description provision might result in increased viewing of newly audio described programmes. If this is the case, then our estimate of the additional viewing could be considered conservative;
- c) in general, an additional hour of a more popular channel will indeed represent a greater benefit to users than an additional hour on a less popular channel.

6.16 To reflect these assumptions, we have generated an additional metric, called 'weighted broadcast hours' (WBH). This is calculated by applying a weight to each of the relevant channels' broadcast hours. The weight used is the channel's audience share, so that the more popular a channel is, the greater the weight attached to it. The result for each channel is then summed to give the total weighted broadcast hours for each option. For example: 3 channels A, B, C have respective audience shares of 60%/30%/10%. If 100 additional hours of programming was broadcast on each this would be an increase of 300 broadcast hours in total (3 channels x 100 hours) but just an increase of 100 WBH hours (i.e. $(100 \times 60\%) + (100 \times 30\%) + (100 \times 10\%) = 100$ WBH). However if Channel A alone broadcast 200 additional hours of programming, there would be an increase 200 broadcast hours, but an increase of 120 WBH (i.e. $200 \times 60\% = 120$ WBH).

6.17 It is important to note that the weighted broadcast hours metric has been constructed as a tool for evaluation, and that it does not tell us how much programming containing access services the average viewer actually watches. Rather, it is intended to capture the assumption that access service provision on more popular channels has the potential to generate a greater benefit than access service provision on smaller channels. As such, weighted broadcast hours help us to assess proportionality: requiring additional access service provision on smaller channels is likely to produce a lower level of benefit than requiring additional provision on a channel with a large audience share.

6.18 However the weighted broadcast hour measure does have limits; for instance, it does not factor in the additional benefit of viewer choice. As indicated above, this choice is affected not just by the volume of viewer hours but also by the range and volume of channels required to provide subtitling, signing and audio description. Nor does it

⁴⁴ Provision of Access Services - Research Study conducted for Ofcom
<http://www.ofcom.org.uk/consult/condocs/accessservs/provision.pdf>

take into account that there are far more users of subtitles than audio description and that any detriment caused by potential reductions in subtitling hours could be much greater than the benefit of increased audio description hours.

Costs

- 6.19 We have measured the costs of each option in terms of both the total costs that broadcasters would bear, and in the case of Options 2 and 3, the incremental costs over and above the costs of continuing with the existing provision (Option 1 / the status quo).
- 6.20 The analysis below assesses the incremental effect of Options 2 and 3 against Option 1. Option 1 is based on the full implementation of the existing obligations (80% subtitling, 10% audio description and 5% signing or alternative arrangements⁴⁵) as opposed to the level of provision offered by broadcasters which may exceed the statutory requirements. If provision beyond the statutory requirements continues Ofcom's estimates may therefore be overstating the actual increase in the costs likely to be incurred by broadcasters.
- 6.21 While the options focus on increasing audio description quotas, the effects on access service users are not uniformly positive. Higher quotas are more costly, which could potentially lead to more broadcasters falling below the affordability threshold and therefore fewer channels having to provide any of these services, having an adverse effect on the users of all three access services. Therefore, we have also taken into account the effects of the proposed changes on subtitling and signing provision as well.

Option 1 (status quo - full implementation of the existing obligations inc 10% audio description on all eligible channels)

- 6.22 Under this option, we estimate that 64 channels accounting for 88.9% of UK household viewing would be required to provide access services, and 58⁴⁶ of these channels would have to audio describe 10% of their output by the time the existing obligations are fully implemented. The total cost to broadcasters of providing access services in 2014 under these arrangements is estimated to be about £3m⁴⁷.

Audio description

- 6.23 Under the assumptions described above, continuing with the current arrangements would result in over 61,000 broadcast hours of audio-described programming a year, of which 13% (just under 8000 hours) would be broadcast by the main public service channels⁴⁸.
- 6.24 A different picture emerges when broadcast hours are weighted in accordance with the approach described in paragraph 6.16 above. Total weighted broadcast hours would be just over 700, of which 76% (just under 550 hours) would be contributed by

⁴⁵ The subtitling quota on full implementation is 90% for ITV1 and Channel 4.

⁴⁶ 6 channels are exempted from providing AD as it is not practicable to provide AD on back to back speech services such as news or music channels

⁴⁷ For full figures for Option1 see Annex 4.

⁴⁸ The statutory PSBS included in the calculation are BBC1, BBC2, BBC3 BBC4, CBBC, Cbeebies, ITV1, C4, Five, S4C. (In addition Channel 4 +1 would also carry 20% audio description)

public service broadcasters (this illustrates the potential significance to visually-impaired viewers of audio described programmes delivered by channels with large audiences as compared to those made available by smaller channels with lower audience shares).

- 6.25 We note a fall in the number of channels providing access services between 2010 and 2014 (due to the impact of increased subtitling and signing obligations against backdrop of lower revenues) which would result in 8 fewer channels, or, 11.7% (7188) fewer broadcast hours of audio-described programming in 2014 than in 2010
- 6.26 However the volume of weighted broadcast hours is projected to remain steady. This is because there are a small number of popular channels that are reasonably new and are yet to reach their full 10% quota (e.g. ITV 4, More 4, Five USA). As they have large audience shares, the relatively small number of additional audio described broadcast hours that these channels will provide is estimated to confer a greater benefit than a larger volume of broadcast hours provided by channels with small audiences.

Subtitling and signing

- 6.27 As subtitling quotas are much higher, the 64 channels would deliver almost 450,000 broadcast hours of subtitled programming, of which the public service broadcasters would account for 18% (just over 81,000 hours).
- 6.28 As with audio description, the weighted broadcast hours for subtitling illustrate the significance of large popular channels. Out of a total of just under 6500 hours, public service channels would account for 81% (just over 5000 hours).
- 6.29 Despite the fall in the headline number of channels, the increase in the subtitle quota (from 60% in 2010 to 80% in 2014) means that Option 1 is set to deliver a net increase of 14.9% (just under 58,000), subtitled broadcast hours between 2010 and 2014, and just over 4.6% (282 hours) additional weighted broadcast hours.
- 6.30 The volume of sign interpreted programming is expect to grow until 2014 as the quotas will increase by a further 2% and this requirement is confined to larger channels which are expected to continue to have to provide access services. However the fall in the headline number of channels will mean a reduction in the money available to fund alternative arrangements for sign presentation.

Assessment

- 6.31 While users of subtitling would see a significant increase in both broadcast and weighted broadcast hours when the full quotas are fully implemented, the growing cost of meeting the subtitling quotas is likely to result in fewer channels providing access services, thereby reducing the overall volume of audio description available to visually-impaired people.
- 6.32 Nonetheless, the benefits of Option 1 could be greater than suggested in paragraphs 5.13 to 5.16 if:
- a) new users are attracted to use audio description services. The likelihood of this is relatively high if promotion is stepped up, and would therefore see additional benefit being extracted from the existing arrangements;

- b) broadcasters continue to provide more audio description than they are required to. The quarterly report published in August 2009 (see Annex 3) shows that more than two thirds of channels required audio describe 10% of programming, are actually audio describing more than 15% of their output. It is generally difficult to assess the chances of this continuing in the future; if the economic downturn were to be protracted, some broadcasters might choose to cut back on voluntary over provision of audio description.

Option 2 (20% audio description quota for all eligible channels)

- 6.33 Under this option, we estimate that 62 channels accounting for 87.6% of UK household viewing would be required to provide access services including a 20% audio description quota in 2015. This is two fewer channels than Option 1 (1.3% smaller audience share). We estimate that this scenario would cost broadcasters some £2.8m more than continuing with the current arrangements⁴⁹.

Audio description

- 6.34 56⁵⁰ channels would be required to audio-describe 20% of their output. This would result in just over 119,500 broadcast hours of audio-described programming a year, of which 13% (almost 16,000 hours) would be broadcast by the main public service channels.
- 6.35 As with Option 1, a different picture emerges when broadcast hours are weighted in accordance with the approach described in paragraph 6.16 above. Total weighted broadcast hours would be just over 1400, of which 76% (just under 1100 hours) would be contributed by public service broadcasters.
- 6.36 Option 2 would deliver almost 94% (57,856) more audio described broadcast hours than Option 1, and 99% (709) more weighted broadcast hours, providing a range of additional audio described programming across all 56 channels.

Subtitling and signing

- 6.37 The 62 channels would deliver almost 390,000 broadcast hours of subtitled programming, of which the public service broadcasters would account for 21% (just over 81,000 hours). This is 14% (57,734) fewer subtitled broadcast hours than Option 1.
- 6.38 As before, the weighted broadcast hours illustrate the significance of channels with large audiences. Out of a total of just over 6300 hours, public service channels would account for 82% (just over 5000) resulting in 1.8% (113) fewer subtitled weighted broadcast hours than Option 1.
- 6.39 The overall volume of subtitling falls under Option 2 because the additional cost to all channels of providing an extra 10% audio description means fewer channels can afford the obligations. This would result in two additional channels becoming exempt from all access service provision, and 14 channels having to provide less subtitling.

⁴⁹ For the a chart of the figures generated by Option 2 see Annex 4.

⁵⁰ 6 channels are exempted from providing AD as it is not practicable to provide AD on back to back speech services such as news or music channels

- 6.40 The fall in the headline number of channels would also mean a small reduction in the money available to fund alternative arrangements for sign presentation.

Assessment

- 6.41 This scenario provides the most audio description of the 3 options and shows that a universal requirement to provide 20% audio description could be delivered within the current cap of 1% of relevant turnover.
- 6.42 However, it should also be borne in mind that:
- a) there would be significantly fewer broadcast hours of subtitling, although the actual impact on viewers is arguably relatively limited, as subtitling on the most popular channels would not be adversely affected. The main change is that there would be less choice of subtitled programming on less popular channels
 - b) in terms of the costs to broadcasters vs the benefits to audio description users, this not very efficient way of delivering additional audio description, as the option requires the volume of audio described broadcast hours to be doubled to across all broadcasters to double the benefit. Much of the required increase in audio description would be on channels with lower audience share which implies fewer people are likely to watch. It also results in a slight reduction in the range of channels providing access services;
 - c) the actual incremental costs incurred by broadcasters may be significantly less than the total of £2.8 million referred to in paragraph 5.32, as two thirds of channels (44) are already audio describing at least 15% of their output. Assuming that they continued to 'over-provide' audio description at current levels, these channels would not need to incur any incremental expenditure until at least 2013.

Option 3 (20% audio description on 10 statutory PSB channels and 10% on all eligible commercial services)

- 6.43 Under this option, 64 channels accounting for 88.9% of UK household viewing would be required to provide access services. The 10⁵¹ statutory PSB channels would be obliged to meet quotas of 20% audio description by 2015, the remaining 48⁵² channels would continue to be required to audio describe 10% of their output. We estimate this would cost the statutory public service broadcasters a total of just over £580,000 more than would be required under the current arrangements⁵³.
- 6.44 Option 3 would deliver the same number of channels as under Option 1 because access service costs are a relatively small part of the PSB broadcasters' relevant turnover. The additional requirements do not cause any channels to change the Level at which they provide access services, or to drop out of the obligations.

⁵¹ BBC1, BBC2, BBC3 BBC4, CBBC, Cbeebies, ITV1, C4, Five, S4C. (In addition Channel 4 +1 would also carry 20% audio description).

⁵¹ 6 channels are exempted from providing AD as it is not practicable to provide AD on back to back speech services such as news or music channels

⁵³ For the a chart of the figures generated by Option 3 see Annex 4

Audio description

- 6.45 This scenario would provide over 69,000 broadcast hours of audio-described programming a year, of which 23% (almost 16,000 hours) would be broadcast by the main public service channels. It delivers over 1200 weighted broadcast hours of audio description, of which 87% (just under 1100 hours) would be contributed by public service broadcasters.
- 6.46 While Option 3 delivers just 13% (7853) more audio described broadcast hours than Option 1, it provides 77% (545) more weighted broadcast hours. This highlights the disproportionate benefit of provision on the most popular channels. Option 3 is over 5 times more effective than Option 2 at delivering viewer benefit.

Subtitling and signing

- 6.47 As the number of channels and their distribution between Levels 1, 2 and 3 remains unchanged from Option 1 the impact on subtitling or signing under this scenario is neutral.

Assessment

- 6.48 Option 3 delivers just 13% (7853) more audio described broadcast hours than Option 1 but 77% (545) more weighted broadcast hours. This is achieved without any negative impact on subtitling and signing or any reduction in number of channels providing access services.
- 6.49 This option:
- a) provides 72% (50,003) fewer audio described broadcast hours than Option 2, but only 13% (165) fewer weighted broadcast hours. Thus, it limits the choice of programming available to audio description users, by confining the extra provision to just 10 channels;
 - b) delivers a disproportionately large number of weighted broadcast hours - it could therefore be regarded as being more effective than Option 2; and
 - c) would limit the costs incurred by smaller channels, by maintaining the 10% statutory quota applicable to them. Only the larger public service channels would incur additional costs. Assuming that they continued to 'over-provide' audio description at current levels, this would mean that about half would not need to incur incremental expenditure until 2013.

Fig 9: Summary of the Options

Option	No of channels (total audience share)	Audio Description BH / WBH	Subtitles BH/ WBH	Costs to broadcasters (£m)	Additional costs to broadcasters (£m)
Option 1 Existing quotas fully implemented	64 (88.9%)	61,654 / 716	447,110 / 6453	£2.94m	N/A
Option 2 20% AD on all channels	62 (87.6%)	119,510 (+93.8%) / 1425 (+99%)	389,736 (-14%) / 6340 (-1.8%)	£5.73m	£2.78m
Option 3 20% AD on PSBs only	64 (88.9%)	69,507 (12.7%) / 1261 (72%)	447,110 (0%) / 6453 (0%)	£3.52m	£580,000

Consultation question

Q1. Which of the three options do consultees favour, and why?

Q2. Do consultees have any further suggestions for future access service provision? If so please provide the rationale for these suggestions

Section 7

Television services targeting areas outside the UK

- 7.1 This section explains why we consider it necessary to look again at access services provision by Ofcom licensees targeting areas outside of the UK, and the next steps we intend to take, both to encourage relevant broadcasters to provide access services, and to gather evidence on whether the current exemption from providing access services should be re-examined, and if so, what arrangements might be put in place.
- 7.2 Ofcom has a considerable number of licensees that target Europe and other regions. Of these, almost 200 channels are broadcast to other EU Member States. Ofcom does not currently require these channels to provide access services.
- 7.3 The Communications Act 2003 gives Ofcom discretion to exclude particular services, and Ofcom used this power in 2004 to exclude those services targeting territories outside the UK. The Act requires Ofcom to take account of the extent to which members of the intended audience for a particular service are resident outside the UK, the technical difficulty of providing assistance, and the costs and associated benefit of providing assistance. At the time, the technical infrastructure for providing access services was far less well-developed in mainland Europe so we could not be certain of the costs or even practicality of non UK facing licensees providing access services. Additionally, the UK legislation was passed principally with the benefits to UK consumers in mind, there was no pan-European requirement in place and therefore it was not possible reasonably to assess the balance of costs and benefits in requiring provision. For these reasons, we decided to use our power to exclude services principally targeting audiences outside the UK.
- 7.4 Therefore at present, only channels that have an audience share of at least 0.05% in the UK and meet the affordability criterion are required to provide access services. In effect this also means that none of the channels broadcast to areas outside the UK are required to provide access services, although some choose to provide some access services voluntarily.

The changing context

- 7.5 However, in the light of the changes, detailed below, to both European and domestic legislation and the advances in the technology of domestic receiver equipment that make access services accessible to more viewers, we consider that we should re-examine whether this exemption remains justified:
- a) Article 3(b) of the AVMS Directive which must be implemented by 19 December 2009 imposes a new duty upon Member States to *'encourage media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability'*. DCMS has asked Ofcom to give effect to this duty;
 - b) there have been technical advances in end user receiver equipment that means equipment increasingly supports access services;

- c) access services (in particular, subtitling) are now available in many more Member States. In some countries these are being provided on a voluntary basis,⁵⁴ but in many states provision is increasingly being regulated. A survey of European regulatory authorities conducted by the European Platform of Regulatory Authorities (EPRA)⁵⁵ found that 21 of the 29 regulators who responded “play a role in the field of access for people with disabilities”, with 15 having “the power to set rules, recommendations or codes”. A number of authorities, including those for Portugal, Spain (CMT), Poland and Macedonia envisage imposing, or are in the process of imposing, new access service obligations. While we expect that these requirements will be on a more modest scale than those applying in the UK, this should mean that the infrastructure needed to deliver and receive access services will become more widespread; and
- d) Ofcom has general and specific disability equality duties under the Disability Discrimination Act 2005 (the DDA) which came into force in December 2006. The DDA places a duty upon Ofcom to have due regard for the need to promote equality of opportunity, taking into account disabilities (even if it means treating disabled people more favourably than others) and to promote positive attitudes towards disabled people. The duties in the DDA also apply to relevant groups beyond UK boundaries.

Next Steps

- 7.6 In line with the new AVMSD requirement outlined above, we shall write to all broadcasters licensed by Ofcom to provide channels broadcast to other parts of the EU encouraging them to provide access services, in particular those likely to benefit significant numbers of people with hearing and / or visual impairments (that is, subtitling and audio description).
- 7.7 We will also require those EU facing Ofcom licensees meeting the affordability criterion to provide reports every six months, starting with a report in January 2010, on the extent to which they provide access services on a voluntary basis or as a result of agreements with distributors or regulators, or any plans they have for doing so.
- 7.8 In addition to understanding what level of voluntary provision is planned or in existence, Ofcom also needs to understand more about the technical feasibility and cost of providing access services, in order that any scheme that may be introduced in future will avoid imposing disproportionate costs on broadcasters. To this end, Ofcom will seek evidence on:
 - a) the availability of distribution systems within EU Member States that would make it practicable for broadcasters to deliver and users to receive access services;
 - b) the emerging plans of other national regulatory authorities within the EU to encourage or require their licensees to provide access services, and how they may differ in terms of scope and extent from those applying in the UK; and

⁵⁴In the absence of binding legal provisions, some broadcasters have a voluntary policy with regards to access service provision in countries including Germany, Lithuania, Luxembourg, Macedonia, Poland Serbia and Spain.

⁵⁵ EPRA is a forum for informal discussion and exchange of views and best practice between regulatory authorities in the broadcasting field. It currently has 52 regulators from 42 countries as full members. For more information see: www.epra.org.

- c) whether using UK costs is a reasonable proxy for assessing the likely costs to broadcasters of establishing and providing access services, and if not, how costs can be assessed.

7.9 If, by the end of 2010, the indications are that voluntary provision of access services is inadequate, we will consider whether or not to remove the exemption on some or all of the channels licensed by Ofcom to provide services outside the UK. In this event, we would expect to consult on changes to the current arrangements in early 2011.

We invite comments on Ofcom's decision to re-examine the current exemption of non UK facing licensees from providing access service provision.

Annex 1

Responding to this consultation

How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 12 November 2009**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at <http://www.ofcom.org.uk/consult/244504/>, as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response coversheet is incorporated into the online web form questionnaire.
- A1.3 For larger consultation responses - particularly those with supporting charts, tables or other data - please email 2009accessservicesreview@ofcom.org.uk attaching your response in Microsoft Word format, together with a consultation response coversheet.
- A1.4 Responses may alternatively be posted or faxed to the address below, marked with the title of the consultation.
- Sara Winter
Fifth Floor
Content and Standards
Ofcom Riverside House
2A Southwark Bridge Road
London SE1 9HA
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 It would be helpful if your response could include direct answers to the questions asked in this document. It would also help if you can explain why you hold your views and how Ofcom's proposals would impact on you.

Further information

- A1.7 If you want to discuss the issues and questions raised in this consultation, or need advice on the appropriate form of response, please contact Stephanie Brook on 0207 981 3871.

Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, can you please specify what part or whether all of your response should be kept confidential, and specify why. Please also place such parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/accoun/disclaimer/>

Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement in early 2010.
- A1.12 Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: http://www.ofcom.org.uk/static/subscribe/select_list.htm

Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a consultation is easy as possible. For more information please see our consultation principles in Annex 2.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk . We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash
Ofcom
Sutherland House
149 St. Vincent Street
Glasgow G2 5NW

Tel: 0141 229 7401
Fax: 0141 229 7433

Email vicki.nash@ofcom.org.uk

Ofcom's consultation principles

- A1.16 Ofcom has published the following seven principles that it will follow for each public written consultation:

Before the consultation

- A1.17 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right

direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

- A1.18 We will be clear about who we are consulting, why, on what questions and for how long.
- A1.19 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened Plain English Guide for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.
- A1.20 We will consult for up to 10 weeks depending on the potential impact of our proposals.
- A1.21 A person within Ofcom will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. Ofcom's 'Consultation Champion' will also be the main person to contact with views on the way we run our consultations.
- A1.22 If we are not able to follow one of these principles, we will explain why.

After the consultation

- A1.23 We think it is important for everyone interested in an issue to see the views of others during a consultation. We would usually publish all the responses we have received on our website. In our statement, we will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 2

Consultation response cover sheet

- A2.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A2.2 We have produced a coversheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A2.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A2.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the 'Consultations' Section of our website at www.ofcom.org.uk/consult/.
- A2.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To Sara Winter:

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing	<input type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

Annex 3

Access Services Report (second quarter 2009)

- A3.1 This is the second quarterly report for 2009 on the provision of access services (subtitling, signing and audio description) by broadcasters under the Code on Television Access Services during the first six months of 2009. An explanation of the obligations applying to broadcasters is given in the first quarterly report for 2005, which can be found at:
http://www.ofcom.org.uk/tv/ifi/guidance/tv_access_serv/tvaccessrep/.
- A3.2 The second report for 2009 shows that the majority of broadcasters are exceeding their quotas for subtitling, audio description and signing. Ofcom will continue to monitor compliance and we have been assured by those broadcasters who are not currently meeting their requirements, including GMTV1, GMTV2 and Nick Toons that action is being taken to rectify this before the end of 2009. In addition Ofcom carries out regular audits of the access services provided by broadcasters.
- A3.3 Ofcom expects to publish the third quarterly report for 2009, covering the period January to September, in mid- November.

Service	Subtitling		Audio Description		Signing	
	Annual quota	Achieved (Q1 & Q2)	Annual quota	Achieved (Q1 & Q2)	Annual quota	Achieved (Q1 & Q2)
BBC One ⁵⁶	100%	99.8%	10%	15.2%	5%	5.1%
BBC Two	100%	99.9%	10%	11.8%	5%	5.9%
BBC Three	100%	99.9%	10%	24.1%	5%	5.6%
BBC Four	100%	100%	10%	19.4%	5%	7.3%
CBBC	100%	99.9%	10%	12.8%	5%	6.6%
CBeebies	100%	100%	10%	17.1%	5%	5.3%
BBC News 24	100%	99.9%	Exempt		5%	5.3%
ITV1 (excl. GMTV)	89%	94.1%	10%	14.3%	5%	5.0%
GMTV1 ⁵⁷	89%	84.9%	10%	54.6%	5%	5.3%
Channel 4	89%	91.2%	10%	10.8%	5%	5.5%
Five	80%	80.2%	10%	17.8%	5%	5.7%
S4C	75%	91.0%	10%	12.9%	4%	3.9%
Level One						
ITV2	60%	75.3%	10%	13.6%	3%	3.9%

⁵⁶ Occasional technical and/or operational problems led to a small shortfall in delivering against the BBC's 100% subtitling quota.

⁵⁷ As with news programming, GMTV1's live magazine programming is exempt from the requirement of audio description on grounds of practicality.

ITV3 ⁵⁸	39.2% [35%]	80.0%	8.3% [8%]	12.9%	2.2% [2%]	3.0%
ITV4 ³	35%	42.1%	6.3% [6%]	9.6%	Alt ⁵⁹	
CITV ⁶⁰	30.8% [26.6%]	49.5%	5.7% [5.3%]	10.6%	Alt	
GMTV2	62.8%*	43.4%	10%	22.4%	Alt	
E4	60%	71.7%	10%	13.7%	3%	4.4%
More 4 ⁶¹	35%	90.4%	6.5% [6%]	7.3%	Alt	
Film 4 ⁶	22.5% [10%]	77.1%	5% [4%]	11.5%	Alt	
Fiver ⁶²	16.3% [10%]	57.5%	4.5% [4%]	11.7%	Alt	
Five USA ⁷	16.3% [10%]	40.5%	4.5% [4%]	8.1%	Alt	
Sky News	60%	70.1%	Exempt		Alt	
Sky One	60%	67.4%	10%	20.1%	Alt	
Sky Two	60%	66.1%	10%	19.9%	Alt	
Sky Three ⁶³	35%	68.8%	6.3% [6%]	25.3%	Alt	
Sky Sports 1	60%	62.2%	10%	12.5%	3%	3.5%
Sky Sports 2	60%	62.7%	10%	13.4%	Alt	
Sky Sports 3	60%	65.2%	10%	14.9%	Alt	

⁵⁸ Twelve-month quotas for ITV3 and ITV4 run from 1 November. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

⁵⁹ Alternative Arrangements: Channels with an audience share of between 0.05% and 1% have the option to either broadcast 30 minutes of sign presented programming a month or participate in Ofcom approved alternative signing arrangements. The broadcasters indicated by 'Alt' have agreed to contribute funding to the approved British Sign Language Broadcasting Trust (BSLBT) who make sign presented programmes for broadcast on the Community Channel.

⁴ Twelve-month quotas for CITV run from 1 March. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

* These quotas are made up of the 2009 quota plus any outstanding obligations from the 2008 quota.

⁶¹ Twelve-month quotas for More 4 and Film 4 run from 1 October and 1 July respectively. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

⁶² Twelve-month quotas for Fiver and Five USA run from 1 October. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

⁶³ Twelve-month quotas for Sky Three run from 1 November. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

Sky Sports Extra	60%	64.8%	10%	20.6%	Alt
Sky Sports News	60%	61.6%	Exempt		Alt
Sky Movies Action/Thriller	60%	67.0%	10%	25.5%	Alt
Sky Movies Comedy	60%	68.9%	10%	26.9%	Alt
Sky Movies Classics	60%	62.6%	10%	21.3%	Alt
Sky Movies Drama	60%	65.0%	10%	22.0%	Alt
Sky Movies Family	60%	68.7%	10%	25.7%	Alt
Sky Movies Indie	60%	73.6%	10%	26.6%	Alt
Sky Movies Modern Greats	60%	63.8%	10%	22.5%	Alt
Sky Movies Sci-Fi/Horror	60%	69.5%	10%	23.9%	Alt
Sky Movies Premiere	60%	74.7%	10%	27.7%	Alt
Dave	60%	63.9%	10%	23.5%	Alt
Blighty	60%	66.8%	10%	29.8%	Alt
Good Food ⁶⁴	60%	62.3%	10%	13.2%	Alt
Eden	60%	63.2%	10%	24.4%	Alt
Yesterday	60%	63.4%	10%	18.9%	Alt
Alibi	60%	61.8%	10%	13.0%	Alt
G.O.L.D.	60%	68.5%	10%	27.3%	Alt
Home	60%	65.3%	10%	18.9%	Alt
Really ⁶⁵	35%	42.5%	7.8% [7.7%]	15.9%	Alt
Disney Channel	60%	92.3%	10%	20.3%	Alt
Playhouse Disney	60%	94.5%	10%	19.8%	Alt
Disney Cinemagic	35%	99.1%	6%	10.9%	Alt
Level Two					
MTV	40%	55.5%	10%	9.6%	Alt
MTV Base	40%	51.7%	Exempt		Alt
TMF	40%	65.0%	Exempt		Alt

⁶⁴ UK Food rebranded as Good Food in June 2009

⁶⁵UKTV Gardens rebranded as Really in May 2009. Twelve-month quotas for Really run from 23 February. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

Level Three					
Comedy Central	20%	18.2%	10%	23.6%	Alt
Nickelodeon	20%	50.8%	10%	15.0%	Alt
Nick Toons	20%	49.5%	10%	7.2%	Alt
Nick Junior	20%	22.3%	10%	28.8%	Alt
Nick Junior 2 ⁶⁶	8.9% [6.1%]	25.7%	5.3% [4.7%]	21.5%	Alt
Jetix	20%	33.6%	10%	22.2%	Alt
Cartoon Network	20.8%*	41.2%	10%	21.5%	Sign-presented ⁶⁷
4 Music	20%	26.1%	Exempt		Alt
Animal Planet	20%	32.4%	10%	18.1%	Alt
Discovery Channel	20%	23.4%	10%	11.7%	Alt
Discovery Science	20%	34.2%	10%	12.2%	Alt
Discovery Knowledge	20%	31.9%	10%	12.9%	Alt
Discovery Home & Health	20%	26.1%	10%	10.8%	Alt
Discovery Real Time UK	20%	25.2%	10%	10.2%	Alt
Discovery Travel & Living	20%	48.7%	10%	18.1%	Alt
Discovery Turbo ⁶⁸	3.3%	44.0%	3.7% [3.3]	21.7%	Alt
Bravo	20%	51.3%	10%	18.1%	Alt
Bravo 2 ⁶⁹	10.3% [8.9%]	36.3%	5.7% [5.3%]	19.8%	Alt
Challenge TV	20%	40.9%	10%	17.7%	Alt
Virgin 1	20%	52.2%	10%	12.0%	Alt

⁶⁶ Twelve-month quotas for Nick Jr. 2 run from 1 May. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

* These quotas are made up of the 2009 quota plus any outstanding obligations from the 2008 quota.

⁶⁷ Cartoon Network transmits 30 minutes of sign-presented programming per month to meet its signing obligations.

⁶⁸ Twelve-month quotas for Discovery Turbo run from 1 March. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

⁶⁹ Twelve-month quotas for Bravo 2 run from 1 March. The annual quotas shown in this table are a weighted average of those applying during 2009; the actual quotas which apply across the Q1 and Q2 period are shown in square brackets.

Living TV	20%	50.9%	10%	17.4%	Alt
Living TV 2	20%	37.0%	10%	11.3%	Alt
Hallmark	20%	80.9%	10%	30.1%	Alt

Annex 4

Options 1 – 3: full data

		Option 1	Option 2	Option 3
	Number of channels providing	64	62	64
	Level 1	39	39	39
	Level 2	19	3	19
	Level 3	6	20	6
	Total number providing AD	58	56	58
	Number providing 10% AD	58	0	48
	Number providing 20% AD	0	56	10
	Audience share inc GMTV	88.90	88.29	88.90
Audio described broadcast hours	Cab sats ⁷⁰	37840	73196	37840
	Cab sats (inc +1 channels)	53801	103804	53801
	Core PSB ⁷¹	5260	10519	10519
	Core PSB (inc C4+1)	6136	12272	12272
	Statutory PSB ⁷²	6976	13953	13953
	Statutory PSB (inc C4+1)	7853	15706	15706
	Total (All inc +1)	61654	119510	69507
Audio described weighted hours	Cab sats	147	287	147
	Cab sats (inc +1 channels)	172	336	172
	Core PSB	525	1050	1050
	Core PSB (inc C4+1)	531	1062	1062
	Statutory PSB	539	1077	1077
	Statutory PSB (inc C4+1)	545	1089	1089
	Total (All inc +1)	716	1425	1261
Subtitled broadcast hours	Cab sats	276003	239458	276003
	Cab sats (inc +1 channels)	365951	308578	365951
	Core PSB	47336	47336	47336
	Core PSB (inc C4+1)	55226	55226	55226
	Statutory PSB	73269	73269	73269
	Statutory PSB (inc C4+1)	81159	81159	81159
	Total (All inc +1)	447110	389736	447110

⁷⁰ Cab sats = cable and satellite channels

⁷¹ Core PSBs = BBC1, BBC2, ITV1, Channel 4

⁷² Statutory PSBs = BBC1, BBC2, BBC3 BBC4, CBBC, Cbeebies, ITV1, C4, Five, S4C (BBC News is exempted as audio description provision is impracticable)

Subtitled weighted hours	Cab sats	1104	1016	1104
	Cab sats (inc +1 channels)	1257	1144	1257
	Core PSB	4943	4943	4943
	Core PSB (inc C4+1)	4997	4997	4997
	Statutory PSB	5142	5142	5142
	Statutory PSB (inc C4+1)	5196	5196	5196
	Total (All inc +1)	6453	6340	6453
Access service costs	Cab sats	2,362,364	4,570,689	2,362,364
	Stat PSBs	580,235	1,160,471	1,160,471
	Total	2,942,599	5,731,160	3,522,835