

# Changes to signing arrangements for relevant domestic TV channels: a plain English guide

## Purpose of this summary

A1.1 This summary is mainly intended for people who use sign language, for whom English may be a second language. It has less detail than the main document, which is the definitive record of Ofcom's decisions and the reasons for them.

## Introduction

A1.2 In 2003, Parliament decided that TV channels should show some programmes with subtitling and sign language, for people who are deaf or cannot hear well.

A1.3 Parliament also said that some programmes should have audio description, to help people who are blind or cannot see well. Audio description explains to people who cannot see the TV screen what is happening. We call subtitling, signing and audio description 'access services'. Parliament said that, after ten years, TV channels should provide signing on 5% of their programmes.

A1.4 Parliament told Ofcom to draw up the detailed rules. We set these rules out in the 'Code on Television Access Services'. The Code says that TV channels should provide access services if they:

- a) have reasonably large audiences in Ofcom's view (0.05% share of UK viewing or more); and
- b) earn enough money to pay for access services by spending no more than 1% of their total income on such services.

A1.5 About 70 channels meet these tests. Until 2009, almost all of them chose to meet their signing targets by showing signed programmes in the middle of the night. The programmes included a signer in the corner of the TV screen. We call these 'sign-interpreted' programmes because the programmes are interpreted in BSL. The only programme presented by Deaf people for Deaf people was the BBC programme *See Hear*. We call this kind of programme 'sign-presented'.

## Ofcom's first review

A1.6 In 2006, we decided to see if our rules on programmes with sign language were helping Deaf people. After talking to Deaf people and broadcasters, we decided that showing sign-interpreted programmes in the middle of the night on TV channels with small audiences was delivering almost no benefit to Deaf people. We found that very few people, if any, watched the sign-interpreted programmes on TV channels with small audiences.

A1.7 We asked a working group of Deaf people to tell us what they would like instead. They told us that they like to see more sign-presented programmes instead.

- A1.8 We explained that sign-presented programmes would cost more than sign-interpreted programmes. The Deaf working group told us that:
- a) they would prefer fewer programmes presented by Deaf people, rather than more programmes with sign interpretation; and
  - b) it would be better if the programmes could be shown during the day, instead of in the middle of the night.
- A1.9 Some broadcasters suggested that, instead of showing sign presented programmes on their own channels, they could pay money into a fund. The fund could be run by Deaf people and broadcasters, and used to pay for making sign-presented programmes to be shown on another channel. The Deaf working group told us that they liked this idea too.

## The current rules

- A1.10 We thought about what Deaf people and broadcasters had told us, and at the end of 2007 we decided to change the rules for signing on TV channels with small audiences (between 0.05% and 1% of UK audiences).
- A1.11 We said that from the start of 2009, TV channels with small audiences:
- a) must show at least half an hour of sign-presented programmes each month. This was less than the amount of sign-interpreted programmes they used to show. This is because it costs more to make sign-presented programmes; and
  - b) must show these programmes between 7am and 11pm, not in the middle of the night.
- A1.12 But we also said that, if broadcasters did not want to show sign-presented programmes on their own TV channels, they could pay for sign-presented programmes to be shown in other ways instead. We call these 'alternative arrangements'. We said that broadcasters would have to pay £20,000 a year towards alternative arrangements.
- A1.13 Most broadcasters decided that they wanted to do this. They joined with some Deaf people to set up the British Sign Language Broadcasting Trust (BSLBT), so that this could pay for sign-presented programmes to be made. The Community Channel agreed to show these programmes on its channel. We agreed that broadcasters who gave money to BSLBT did not have to show sign-presented programmes on their own channels.
- A1.14 For the time being, no broadcaster has suggested other alternative arrangements, but they are free to do so.
- A1.15 TV channels with large audiences as well as all public service channels (all BBC channels, ITV, Channel 4, Channel 5 and S4C) must continue to show signed programmes on their channels. These can be sign-presented or sign-interpreted programmes. Most broadcasters choose to show sign-interpreted programmes. This provides Deaf people with access to soaps like *Coronation Street* and *Holby City*, as well as documentaries and entertainment programmes.

## Ofcom's second review

- A1.16 Last year, we decided to look again at the rules. There were two main reasons. First we thought that most broadcasters might be able to afford to spend more on signing, as they are now earning more money. Second, we had not changed the amount that broadcasters contribute to BSLBT (or other arrangements) since it was set at £20,000 in December 2007. Since then, rising costs have reduced the value of the contribution, making it harder for BSLBT to make as many new high quality programmes.
- A1.17 We thought about different ideas. We decided to ask broadcasters and sign language users about three main suggestions:
- a) first, that broadcasters showing sign-presented programmes on their own channels should increase the amount over several years from 30 minutes to 75 minutes every month;
  - b) second, that minimum contributions to alternative arrangements should also increase over time. They should start from £20,000 and rise to an eventual maximum of about £60,000;
  - c) that these contributions should be changed to reflect inflation each year to keep their value.
- A1.18 We also suggested that, to avoid sudden large increases in obligations, these obligations should be spread over four years for those broadcasters that would be most affected.
- A1.19 Many Deaf people, Deaf groups and broadcasters told us what they thought. We thought carefully about their views. Then we decided on the new rules.

## The new rules

- A1.20 Ofcom originally proposed that the new rules should start from 1 January 2015. But it took us longer than expected to complete the consultation process. So, we could not decide on the new rules in time to give broadcasters enough notice before the start of 2015. For this reason, we have decided that the new rules should start from 1 January 2016.
- A1.21 From 1 January 2016:
- a) broadcasters showing sign-presented programmes on their own channels will be required to increase the amount over some years from 30 minutes to 75 minutes;
  - b) minimum contributions to alternative arrangements will also increase over time, from £24,100 in 2016, to an eventual maximum of £61,400 plus inflation; and
  - c) these contributions will be adjusted for inflation each year to keep their value.
- A1.22 Finally, for most channels we have decided to spread these changes over seven years instead of four. We worked out that if these channels had to make the changes over four years, there was a chance that some might not have enough money to pay for access services.

- A1.23 We wanted to avoid this. If broadcasters do not have enough money to pay for access services, that harms viewers who use subtitles and audio description, as well as signing. By giving broadcasters more time, there is more chance that the amount of money they earn will grow. The more money they earn, the more money they have to pay for access services.
- A1.24 Even though the changes are being spread over seven years instead of four, the amount of money being spent on signed TV will still grow each year. So people who use sign language will also benefit from more signed TV programmes.