



Television access services 2013

Provision of subtitling, signing and audio description

Report

Publication date:

30 April 2014

Television access services report 2013

Introduction

- 1.1 Under the 2003 Communications Act, television broadcasters are required to deliver a certain proportion of their programmes with subtitles, signing and audio description to ensure those with hearing and visual impairments can understand and enjoy television programmes.
- 1.2 Ofcom has a duty to ensure that compliance of these requirements is met and consequently reports on this twice a year. The first bi-annual report for 2013 on the provision of access services, published in September 2013, presented the cumulative position from January to June 2013.
- 1.3 This final report for 2013 on the provision of television access services by broadcasters shows the cumulative position from January to December 2013.

Statutory requirements

- 1.4 Until the Communications Act 2003 (“the Act”) came into force, access service obligations were limited to public service channels (BBC1, BBC2, Channel 3, Channel 4 and Channel 5) and digital terrestrial television (DTT) channels. The new legislation broadened obligations to include cable and satellite channels.
- 1.5 Under Sections 303 to 305 of the Act, Ofcom is required to draw up and maintain a code that sets specific targets for the provision of access services by commercial channels from the tenth anniversary of their relevant date. Broadly speaking, this means the date the Act entered into force for channels in existence at the time, and for newer channels, the date they began broadcasting.
- 1.6 There are parallel obligations on BBC channels to comply with this Code in the agreement between the Secretary of State for Culture, Media and Sports, and the BBC.
- 1.7 The legislation allows Ofcom to set interim targets and, in the case of subtitling, requires those channels required to provide access services to subtitle a minimum of 60% of their programming after five years.

Ofcom’s Code on Television Access Services

- 1.8 Ofcom’s Code on Television Access Services¹ sets out the criteria for determining which channels should provide access services, and what targets they should meet.
- 1.9 Channels are selected on the basis of the benefits they would deliver to the audience, subject to being able to afford to provide access services. For these purposes, channels with an audience share (all UK households, all times) of 0.05% are required to provide access services, unless there are technical reasons why this would not be practicable, and subject to their ability to afford the assessed cost by paying up to 1% of their relevant turnover.

¹ <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/tv-access-services/>

- 1.10 The targets that most channels must meet are set out in the table below. They date from the anniversary of the ‘relevant date’ for each channel, which in most cases is the date the legislation entered into force at the end of 2003. If a channel is required to provide access services then the targets they must meet are expressed as percentages of their services. These targets rise from a low level to the ten-year targets prescribed by the Act which are 80% for subtitling, 5% for signing and 10% for audio description. In setting targets for audio description, Ofcom used its powers to accelerate implementation of the maximum statutory target (10%) so that it was reached on the fifth anniversary or the relevant date, rather than the tenth.
- 1.11 Some public service channels are required to meet higher targets for subtitling – 90% in the case of Channel 3 (ITV, STV and UTV) and Channel 4. The targets for the BBC are to subtitle 100% of their programme content, audio describe 10% of their programme content (except in the case of BBC News), and sign 5% of their content. Because of its low audience share BBC Parliament is exempted from the requirements although some access services are provided on a voluntary basis.
- 1.12 The following table sets out the targets in full.

Figure 1: Targets applicable to non-public service channels

| Anniversary of relevant date | Subtitling | Audio Description | Signing |
|------------------------------|------------|-------------------|---------|
| First | 10% | 2% | 1% |
| Second | 10% | 4% | 1% |
| Third | 35% | 6% | 2% |
| Fourth | 35% | 8% | 2% |
| Fifth | 60% | 10% | 3% |
| Sixth | 60% | 10% | 3% |
| Seventh | 70% | 10% | 4% |
| Eighth | 70% | 10% | 4% |
| Ninth | 70% | 10% | 4% |
| Tenth | 80% | 10% | 5% |

- 1.13 If the assessed cost of compliance for a channel with all the targets (Level One) would be more than 1% of relevant turnover, its subtitling obligations (but not those for signing and audio description) are reduced by one third (Level Two). If that fails to bring estimated expenditure below 1% of relevant turnover, the channel’s subtitling obligations may be reduced by two thirds (Level Three). If, despite this, Ofcom’s assessment shows that it could not afford the reduced obligations by spending no more than 1% of relevant turnover, the channel will be exempted from providing access services altogether.

Television Access Services 2013

- 1.14 A number of broadcasters have voluntarily committed to delivering 20% audio description on all or most of their channels, even though the statutory obligation is only to deliver 10% (or less in the case of channels that are less than five years old). This includes ITV1 (in England & Wales), Channel 4, and Sky (with the exception of its sports channels) and the BBC, which has committed to increase its audio description targets in 2% annual increments from 2011 onwards. In 2013 this represents a 16% voluntary audio description target for the BBC channels. Ofcom is also pleased to note that many other broadcasters have delivered significantly more audio description than they were required to do.

- 1.15 Channels with an audience share of between 0.05% and 1% have the option either to broadcast 30 minutes of sign-presented programming each month or to participate in Ofcom-approved alternative arrangements that contribute to the availability of sign-presented programming. Where 'Alt' is shown against a channel, this indicates that the broadcaster is contributing to the British Sign Language Broadcasting Trust (BSLBT), which commissions sign-presented programming which is broadcast on the Community Channel and Film 4.
- 1.16 Of the 69 channels required to provide access services over 2013, 62 met or exceeded their targets and the majority did so comfortably. The table below sets out the results for 2013.
- 1.17 Three BBC channels that missed their 100% subtitling target by less than 0.1% did so due to technical and operational outages which meant that some subtitling was not successfully transmitted. These were BBC1, BBC3 and BBC News. The BBC HD channel, which broadcasted for three months of the year, missed its 3% signing target by 0.4%. Given it was on air for three months only and the BBC's over-provision of sign interpreted content on other channels, Ofcom will not be asking the BBC to make up the 0.4% shortfall.
- 1.18 S4C, Nickelodeon and Channel 5 missed their 10% audio description target by 0.8%, 0.5% and 0.4% respectively and have agreed to make up this shortfall over the course of this year. Ofcom is assessing the Channel 5 and Nickelodeon cases under its published procedures² and the S4C case under the relevant section of the Act.

| Service | Subtitling | | Audio Description | | Signing | |
|---------------------------|--------------|-----------------|-------------------|-----------------|--------------------|--------------------|
| | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) |
| Level 1 | | | | | | |
| BBC1 ³ | 100% | 99.9% | 10% | 16.7% | 5% | 5.3% |
| BBC2 | 100% | 100.0% | 10% | 19.4% | 5% | 5.2% |
| BBC3 | 100% | 99.9% | 10% | 23.7% | 5% | 5.7% |
| BBC4 | 100% | 100.0% | 10% | 22.8% | 5% | 5.8% |
| BBC News | 100% | 99.9% | Exempt | | 5% | 5.8% |
| CBBC | 100% | 100.0% | 10% | 19.9% | 5% | 5.3% |
| CBeebies | 100% | 100.0% | 10% | 19.4% | 5% | 5.6% |
| BBC HD ⁴ | 60% | 88.7% | 10% | 20.7% | 3% | 2.6% |
| ITV 1 including Breakfast | 90% | 97.5% | 10% | 21.3% | 5% | 8.3% |
| ITV 2 | 70% | 97.6% | 10% | 30.0% | 4% | 4.6% |
| ITV3 | 70% | 95.4% | 10% | 38.8% | 4% | 4.2% |
| ITV4 | 70% | 79.9% | 10% | 27.8% | 4% | 4.2% |
| CITV | 68.3% | 78.9% | 10% | 29.0% | 30 mins a month of | 3 hr 12 mins sign- |

² <http://stakeholders.ofcom.org.uk/broadcasting/guidance/complaints-sanctions/general-procedures/>

³ Occasional technical and/or operational problems led to a small shortfall in delivering against the BBC's 100% subtitling target on some channels.

⁴ BBC HD ceased broadcasting on the 26th of March 2013. The data presented is 2013 Q1 only. Given this and the BBC's over-provision of sign interpreted content on other channels Ofcom will not be asking the BBC to make up the 0.4% shortfall.

| Service | Subtitling | | Audio Description | | Signing | |
|----------------------------|--------------|-----------------|-------------------|-------------------|------------------------|-------------------|
| | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) |
| | | | | | sign-presented content | presented a month |
| Channel 4 | 90% | 100.0% | 10% | 30.8% | 5% | 5.1% |
| E4 | 70% | 100.0% | 10% | 47.5% | 4% | 5.2% |
| More 4 | 70% | 100.0% | 10% | 28.3% | Alt | |
| Film 4 | 65% | 100.0% | 10% | 27.7% | Alt ⁵ | |
| Channel 5 | 80% | 92.8% | 10% | 9.6% ⁶ | 5% | 11% |
| 5* | 62.5% | 77.7% | 10% | 15.2% | Alt | |
| 5 USA | 62.5% | 77.5% | 10% | 16.6% | Alt | |
| Challenge | 70% | 74.7% | 10% | 22.4% | Alt | |
| Sky Atlantic | 10% | 80.8% | 3.92% | 23.8% | Alt | |
| Sky News | 70% | 70.4% | Exempt | | Alt | |
| Sky One | 70% | 78.4% | 10% | 26.7% | Alt | |
| Sky Two | 70% | 84.7% | 10% | 30.7% | Alt | |
| Pick TV | 70% | 81.2% | 10% | 26.5% | Alt | |
| Sky Sports 1 | 70% | 71.7% | 10% | 12.2% | Alt | |
| Sky Sports 2 | 70% | 72.2% | 10% | 12.6% | Alt | |
| Sky Sports 3 | 70% | 71.7% | 10% | 15.5% | Alt | |
| Sky Sports 4 | 70% | 71.7% | 10% | 18.6% | Alt | |
| Sky Sports News | 70% | 70.5% | Exempt | | Alt | |
| Sky Movies Premiere | 70% | 82.6% | 10% | 24.5% | Alt | |
| Sky Movies Comedy | 70% | 92.2% | 10% | 26.2% | Alt | |
| Sky Movies Action | 70% | 88.3% | 10% | 36.0% | Alt | |
| Sky Movies Family | 70% | 91.6% | 10% | 29.4% | Alt | |
| Sky Movies Sci-fi / Horror | 70% | 89.8% | 10% | 26.5% | Alt | |
| Sky Movies Modern Greats | 70% | 89.6% | 10% | 36.2% | Alt | |
| Sky Movies Drama / Romance | 70% | 89.7% | 10% | 26.3% | Alt | |
| Sky Movies Showcase | 60% | 91.4% | 10% | 37.0% | Alt | |
| Sky Movies Thriller | 60% | 91.3% | 10% | 25.2% | Alt | |
| Sky Living | 70% | 84.0% | 10% | 29.6% | Alt | |
| Sky Livingit | 70% | 82.3% | 10% | 23.6% | Alt | |
| Dave | 70% | 85.0% | 10% | 34.0% | Alt | |
| Eden | 70% | 72.6% | 10% | 30.1% | Alt | |
| Watch | 39% | 64.7% | 7% | 28.4% | Alt | |

⁵ Although Film 4 contributes to the alternative signing arrangements, it also broadcasts 30 minutes a week of the sign-presented content produced by the BSLBT.

⁶ Channel 5 has explained that the shortfall was due to using programme slot time to calculate its compliance with the target. Ofcom uses programme running time for measuring compliance as this excludes advertisements. This led to Channel 5 underestimating the hours of audio described programming needed to comply with the target. It has confirmed it will be making up the 0.4% shortfall over 2014.

| Service | Subtitling | | Audio Description | | Signing | |
|-------------------------------|------------------|---------------------|-------------------|--------------------|--------------|-----------------|
| | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) | Annual quota | Achieved (2013) |
| Yesterday | 70% | 76.1% | 10% | 19.6% | Alt | |
| Alibi | 70% | 88.8% | 10% | 33.6% | Alt | |
| Good Food | 70% | 76.9% | 10% | 21.3% | Alt | |
| Home | 70% | 82.2% | 10% | 26.3% | Alt | |
| G.O.L.D | 70% | 79.9% | 10% | 34.3% | Alt | |
| Really | 35% | 70.3% | 2% | 12.9% | Alt | |
| Disney Channel | 70% | 88.2% | 10% | 12.9% | Alt | |
| Disney Junior | 70% | 88.3% | 10% | 30.1% | Alt | |
| Disney Cinemagic ⁷ | 70% | 91.6% | 10% | 16.9% | Alt | |
| Disney XD | 70% | 90.2% | 10% | 22.9% | Alt | |
| 4Music | 70% | 94.7% | Exempt | | Alt | |
| Universal | 70% | 78.7% | 10% | 13.1% | Alt | |
| Nickelodeon | 70% | 71.2% | 10% | 9.5% ⁸ | Alt | |
| ESPN | 35% ⁹ | 49.2% | 7% | 10.0% | Alt | |
| Discovery Channel | 70% | 73.8% | 10% | 14.9% | Alt | |
| MTV | 70% | 83.3% | 10% | 22.1% | Alt | |
| Viva | 70% | 71.7% | Exempt | | Alt | |
| Comedy Central | 70% | 78.9% | 10% | 23.4% | Alt | |
| Level Two | | | | | | |
| S4C | 47% | 77.3% | 10% | 9.2% ¹⁰ | 5% | 5.1% |
| MTV Hits | 47% | 57.1% | Exempt | | Alt | |
| Quest | 23% | 20.3% ¹¹ | 3% | 8.1% | Alt | |
| FX | 47% | 76.5% | 10% | 22.6% | Alt | |
| Level Three | | | | | | |
| Animal Planet | 23% | 26.6% | 10% | 12.0% | Alt | |
| Comedy Central | 23% | 63.7% | 10% | 15.5% | Alt | |

⁷ Disney Cinemagic ceased broadcasting in March 2013. The data presented is 2013 Q1 only.

⁸ Nickelodeon have advised that the shortfall was due to a late schedule change and some resulting technical issues in producing planned audio description sound tracks. They have confirmed they will be making up the 0.5% shortfall over 2014.

⁹ In light of the change of control of the ESPN licence to BT Telecommunications Ltd, Ofcom accepted proposals that a 6.8% shortfall in subtitling from 2012 on ESPN be made up during 2013 across ESPN as well as across some specific content on the BT Sports channels. Details of this decision can be found in Ofcom Broadcast Bulletin 235: <http://stakeholders.ofcom.org.uk/binaries/enforcement/broadcast-bulletins/obb235/obb235.pdf>. In the event, the ESPN subtitling figure for 2013 means the shortfall was remedied on this channel alone, although subtitling was also provided on some of the relevant content on the BT Sports channels.

¹⁰ S4C have acknowledged their shortfall over 2013 and that they will be making up the 0.8% over 2014.

¹¹ Following the 2013 midyear review, Discovery were erroneously informed that their subtitling target for Quest was 14.2% not 23%. For this reason, Ofcom will not be recording its level of provision over 2013 as a shortfall.