



# Television access services report 2015

Statement

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## About this document

Under the Communications Act 2003, certain television broadcasters licensed by Ofcom are required to provide a proportion of their programming with access services (subtitling, signing and audio description). This statement reports on the level of provision achieved by these channels in 2015.

## Section 1

# Television access services report 2015

## Introduction

- 1.1 Under the Communications Act 2003 (“the 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 2015 on the provision of access services, published in October 2015, presented the cumulative position from January to June 2015.
- 1.3 This final report for 2015 on the provision of television access services by broadcasters shows the cumulative position from January to December 2015.

## Statutory Requirements

- 1.4 Until 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 services 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 Sport, 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 Services<sup>1</sup> 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 those purposes, domestic 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.

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<sup>1</sup> <http://stakeholders.ofcom.org.uk/binaries/broadcast/other-codes/tv-access-services-2015.pdf>

- 1.10 As of 2014, certain non-domestic channels licensed by Ofcom have been required to provide access services. For non-domestic channels, the audience share threshold is the average audience share in the relevant EU Member State or States where the service is received over a 12 month period as indicated in Annex 2 of Ofcom's Code on Television Access Services.
- 1.11 The targets that most domestic 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 a percentage 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 anniversary.
- 1.12 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.
- 1.13 The following table sets out the targets in full for non-public service channels.

**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	60%	8%	2%
Fifth	60%	10%	3%
Sixth	70%	10%	3%
Seventh	70%	10%	4%
Eighth	70%	10%	4%
Ninth	70%	10%	4%
Tenth	80%	10%	5%

- 1.14 If the assessed cost of compliance for a channel with all the targets (Level One) would be more than 1% of the 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 2015 – Domestic Channels

- 1.15 A number of broadcasters continue to meet a voluntary commitment of 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). These include the BBC, ITV, Channel 4 and Sky.
- 1.16 Channels with an audience share 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' (alternative arrangement) 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.
- 1.17 All domestic channels required to provide access services in 2015 met or exceeded their targets and the majority did so comfortably. The table below sets out the results for 2015.
- 1.18 The BBC channels that missed their 100% subtitling target by less than 0.1% did so due to technical and/or operational outages which meant that some subtitling was not successfully transmitted. These channels were BBC1, BBC2 and CBBC.

### Provision of Access Services by Domestic Channels in 2015

Channel	Subtitling		Audio Description		Signing	
	Annual Quota	Achieved (2015)	Annual Quota	Achieved (2015)	Annual Quota	Achieved (2015)
<b>Level One</b>						
BBC1	100%	99.9%	10%	22.1%	5%	5.3%
BBC2	100%	99.9%	10%	24.8%	5%	5.2%
BBC3	100%	100%	10%	32.4%	5%	5.6%
BBC4	100%	100%	10%	36.3%	5%	6.0%
BBC News	100%	100%	Exempt		5%	5.7%
CBBC	100%	99.9%	10%	32.2%	5%	5.7%
CBeebies	100%	100%	10%	30.0%	5%	5.3%
ITV	90%	98.4%	10%	20.3%	5%	5.7%
ITV2	80%	94.6%	10%	30.0%	5%	5.7%
ITV3	80%	97.1%	10%	47.4%	5%	5.2%
ITV4	72%	86.0%	10%	29.8%	4%	5.0%
CITV	70%	97.3%	10%	29.8%	30 mins sign-presented a month	110 mins sign-presented a month
Channel 4	90%	100%	10%	25.7%	5%	5.2%
E4	80%	100%	10%	48.9%	5%	5.2%
Film 4	70%	100%	10%	25.6%	Alt	
More 4	70%	100%	10%	27.8%	Alt	
4Seven	30.8%	100%	5.7%	22.6%	Alt	
Channel 5	80%	88.2%	10%	14.7%	5%	10.0%

5*	70%	71.7%	10%	17.6%	Alt
5 USA	70%	83.8%	10%	38.4%	Alt
Challenge	80%	81.7%	10%	24.5%	Alt
Pick TV	72.5%	80.3%	10%	24.4%	Alt
Sky Arts	70.8%	86.6%	10%	13.3%	Alt
Sky Atlantic	35%	97.6%	7.7%	31.9%	Alt
Sky Living	80%	95.6%	10%	29.5%	Alt
Real Lives	80%	92.9%	10%	27.1%	Alt
Sky Movies Action	80%	90.0%	10%	37.7%	Alt
Sky Movies Comedy	80%	89.4%	10%	38.2%	Alt
Sky Movies Disney	10%	86.3%	3.5%	32.2%	Alt
Sky Movies Drama Romance	80%	90.3%	10%	29.6%	Alt
Sky Movies Family	80%	92.3%	10%	34.5%	Alt
Sky Movies Modern Greats	80%	85.7%	10%	34.2%	Alt
Sky Movies Premiere	80%	84.1%	10%	29.4%	Alt
Sky Movies Sci-fi/Horror	80%	88.2%	10%	35.4%	Alt
Sky Movies Showcase	70%	95.8%	10%	56.3%	Alt
Sky Movies Crime & Thriller	70%	89.3%	10%	29.0%	Alt
Sky News	80%	81.6%	Exempt		Alt
Sky One	80%	91.3%	10%	25.2%	Alt
Sky Two	80%	96.8%	10%	35.9%	Alt
Sky Sports 1	80%	83.1%	10%	17.6%	Alt
Sky Sports 2	80%	81.0%	10%	24.8%	Alt
Sky Sports 3	80%	82.2%	10%	18.3%	Alt
Sky Sports 4	80%	82.4%	10%	12.5%	Alt
Sky Sports F1	30.8%	82.2%	5.7%	11.4%	Alt
Sky Sports News	80%	80.7%	Exempt		Alt
Disney Channel	80%	85.1%	10%	25.0%	Alt
Disney Junior	80%	90.7%	10%	22.8%	Alt
Disney XD	80%	86.6%	10%	21.2%	Alt
4Music	80%	88.3%	10%	13.0%	Alt
Dave	80%	87.5%	10%	26.6%	Alt
Watch	62.5%	75.6%	9%	27.8%	Alt
Yesterday	80%	88.1%	10%	30.5%	Alt
Alibi	80%	87.2%	10%	45.7%	Alt
Good Food	80%	88.8%	10%	23.8%	Alt
Home	80%	91.7%	10%	33.6%	Alt
GOLD	80%	89.6%	10%	39.1%	Alt
Eden	80%	86.3%	10%	33.8%	Alt
Really	60%	82.8%	10%	26.5%	Alt
Drama	10%	73.9%	3%	15.3%	Alt
Discovery	80%	80.1%	10%	11.8%	Alt
Animal Planet	80%	80.7%	10%	10.1%	Alt
Quest	60%	61.6%	10%	12.0%	Alt

TLC	10%	72.7%	3.5%	3.6%	Alt	
Universal	80%	83.1%	10%	15.4%	Alt	
BT Sport 1	10%	20.6%	3%	3.7%	Alt	
<b>Level Two</b>						
S4C	52.8%	77.6%	10%	12.3%	5%	5.6%
MTV	52.8%	83.4%	10%	20.0%	Alt	
MTV Music	23.1%	55.8%	Exempt		Alt	
Viva	52.8%	68.0%	Exempt		Alt	
Comedy Central	52.8%	69.4%	10%	24.5%	Alt	
Comedy Central Extra	52.8%	58.8%	10%	14.0%	Alt	
Nickelodeon	52.8%	68.4%	10%	12.6%	Alt	
Nick Jr	52.8%	62.3%	10%	15.9%	Alt	
Nick Jr 2	46.2%	59.5%	10%	27.5%	Alt	
Nicktoons	52.8%	64.0%	10%	12.0%	Alt	
<b>Level Three</b>						
Boomerang	26.4%	30.9%	10%	30.9%	30 mins sign-presented a month	60 mins sign-presented a month
Cartoon Network	26.4%	33.2%	10%	33.1%	30 mins sign-presented a month	60 mins sign-presented a month

Source: Ofcom – data provided by broadcasters

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

## Television Access Services 2015 – Non-domestic Channels

- 1.19 2015 was the second year that certain non-domestic channels licensed by Ofcom have been required to provide access services. All but one of these broadcasters (Travel Channel broadcasting to Poland) met or exceeded their requirement.
- 1.20 In lieu of the signing arrangements set out in the Code, all non-domestic broadcasters required to provide access services provided an additional 5% of content with subtitles.
- 1.21 Travel Channel broadcasting to Poland did not report to Ofcom any provision of access services in 2015. We are very concerned about this lack of provision, the Licensee's apparent lack of understanding of its access services obligations and its willingness to comply with them. We are therefore requesting an urgent meeting with the channel's licensee (Scripps Networks International (UK) Limited) to inform our next steps on this matter.
- 1.22 Eight non-domestic channels (TV3 and TV3 Puls in Denmark; TV3, TV6 and TV8 in Sweden; and AXN Black, AXN White and AXN in Poland) which had underprovided or failed to provide subtitling or audio description in 2014 were required to make up these shortfalls in 2015. In each case, these shortfalls have now been remedied.
- 1.23 Two other channels (AXN and AXN Sci-fi in Italy) were required to fully make up shortfalls in their 2014 subtitling provision by 30 June 2016, with a third of this

underprovision made up by the end of 2015. We note that in respect of AXN Sci-fi, the Licensee fell slightly short (by 0.8%) of its 2015 interim target. Although the Licensee has provided assurances that the complete shortfall will be remedied by the end of the June, we will treat any failure to achieve this as a serious matter that may require further regulatory action.

## Provision of Access Services by Non-Domestic Channels in 2015

Member State	Channel	Subtitling		Audio Description		Signing	
		Annual Quota	Achieved (2015)	Annual Quota	Achieved (2015)	Annual Quota	Achieved (2015)
<b>LEVEL 1</b>							
Denmark	6'eren	15%	68.4%	4%	5.0%	Alt	
	Kanal 4	15%	65.7%	4%	8.7%	Alt	
	Kanal 5	15%	74.3%	4%	5.1%	Alt	
	TV3	15%	75.8%	4%	9.2%	Alt	
	TV3 Puls	15%	86.2%	4%	10.4%	Alt	
France	The Discovery Channel	15%	19.7%	4%	5.8%	Alt	
	Discovery Science	15%	18.6%	4%	6.7%	Alt	
	Cartoon Network	15%	15.8%	4%	4.3%	Alt	
	Disney Cinemagic	15%	30.5%	4%	5.2%	Alt	
	Nickelodeon	15%	17.4%	4%	4.9%	Alt	
	Nickelodeon Junior	15%	20.4%	4%	5.2%	Alt	
Republic of Ireland	BBC1	15%	99.9%	Technical Exemption*		Alt	
	BBC2	15%	99.9%	Technical Exemption		Alt	
	Sky Living	15%	95.6%	Technical Exemption		Alt	
	Sky One	15%	91.3%	Technical Exemption		Alt	
	Channel 4	15%	100%	Technical Exemption		Alt	
Italy	AXN	15%	26.0%	Technical Exemption		Alt	
	AXN Sci-fi**	4.2%	3.4%	NA		NA	
	The Discovery Channel	15%	19.0%	4%	6.3%	Alt	
	Discovery Science	15%	17.2%	4%	7.7%	Alt	
Netherlands	The Discovery Channel	15%	100%	4%	4.2%	Alt	
Poland	AXN	15%	65.0%	Technical Exemption		Alt	
	AXN Black**	10%	42.0%	NA		NA	
	AXN White**	10%	26.0%	NA		NA	
	The Discovery Channel	15%	19.7%	Technical Exemption		Alt	
	Discovery Science	15%	20.6%	Technical Exemption		Alt	
	Discovery Turbo Xtra	15%	19.8%	Technical Exemption		Alt	
	Investigation Discovery	15%	19.0%	4%	5.7%	Alt	
	TLC	15%	17.7%	Technical Exemption		Alt	
	Travel Channel	No provision reported					
Sweden	The Discovery Channel	15%	100%	4%	4.1%	Alt	
	Kanal 5	15%	97.4%	4%	7.7%	Alt	
	Kanal 9	15%	98.4%	4%	6.6%	Alt	



	TV3	15%	100%	4%	7.1%	Alt
	TV6	15%	98.7%	4%	7.1%	Alt
	TV8	15%	97.8%	4%	6.7%	Alt
<b>LEVEL 2</b>						
Denmark	The Discovery Channel	12%	100%	4%	4.6%	Alt
	TLC	12%	100%	4%	4.5%	Alt
<b>LEVEL 3</b>						
NA	NA					

Source: Ofcom – data provided by broadcasters

\* Ofcom has granted technical exemptions for the provision of audio description in those cases where the networks and/or consumer receivers are such that audio description cannot be delivered.

\*\* Although these channels did not have a formal requirement to provide access services in 2015, they were required to provide subtitling in order to make up a shortfall in their 2014 obligation.