



Ofcom consultation: Proposed changes to the linear EPG Code and future of the prominence regime

Consultation Response - October 2018

Q1) Do you agree with our proposals that the main five PSB channels hold the top five slots on EPGs provided UK wide or in the UK outside of Wales?

Yes

Q2) Do you agree that on EPGs provided for viewers specifically in Wales BBC One, BBC Two and the relevant Channel 3 service should take the top three slots, with S4C in slot four, Channel 5 in slot five and Channel 4 guaranteed a position on the first page?

Yes

Q3) Do you agree that BBC Four should be guaranteed a slot within the top three pages of all EPGs?

Yes

Q4) Do you agree that the designated public service News channels (currently BBC News and BBC Parliament) should be guaranteed slots on the first page of the news genre section or an equivalent position within the grouping of news channels on the EPG, as applicable?

Yes

Q5) Do you agree that CBeebies and CBBC should have guaranteed slots on the first page of the Children's genre or area of the EPG, as applicable?

Yes

Q6) Do you agree that S4C, BBC Alba, and BBC Scotland should be guaranteed prominence within the first three pages of UK wide EPGs?

Yes

Q7) Do you agree that local TV should be guaranteed prominence within the first three pages of UK wide EPGs?

Yes

Q8) Do you agree that S4C, BBC Alba, and BBC Scotland should be guaranteed prominence within the first three pages of relevant Nation specific EPGs e.g. S4C in Wales, BBC Alba and BBC Scotland in Scotland?

The question, whilst not inaccurate, does not represent the full proposal. The proposal is for S4C to be at slot 4 of the EPGs in Wales (slot 4), but BBC ALBA and BBC Scotland are proposed to be within the first three pages. Whereas the consultation document goes into some depths on why it is appropriate for the Welsh language channel to maintain its position at slot 4 in Wales, it does not discuss whether the page 1 prominence enjoyed by the Gaelic language channel in Scotland on the Freeview EPG (slot 7) should be maintained. The proposals, which improve BBC ALBA's position on other EPGs, **could in fact weaken BBC ALBA's position on Freeview as it does not prevent BBC ALBA being moved down the EPG.** Therefore, the proposals offer better EPG prominence for S4C than for BBC ALBA in the respective nations without ever setting out why the two indigenous language services should be treated to different levels of policy support. We therefore welcome the overall intention to secure a place with the first three pages on the nations' EPG for the Welsh and Gaelic channels, but point out that the proposal for S4C is in fact significantly better than that for BBC ALBA and ask that the solutions protect BBC ALBA's existing slot 7 position.

Q9) Do you agree that local TV should be guaranteed prominence within the first three pages of relevant regionalised EPGs?

Yes

Q10) Do you agree with our proposals to ensure prominence for either the SD or HD version of BBC channels rather than both?

Yes

Q11) Do you agree with our proposals to allow broadcasters to swap HD simulcast variants of their SD designated channels, such that those HD variants could occupy the slots which the SD channels would be entitled to?

Yes

Q12) Do you agree with our proposal to provide a 12 month transition period once the Code is finalised?

Q13) Do you think that the prominence regime should be extended to ensure EPGs themselves can be easily found?

Yes

Q14) Do you agree with the broad range of factors for consideration we have identified? Are there other factors that policy makers should consider?

Other factors to consider are the need for parity of esteem and of treatment for the indigenous language services of the UK.

Q15) Do you agree with the principles we have set out? Are there other principles that should be considered?

BBC ALBA and S4C should be treated equally.

Appendix: About MG ALBA and BBC ALBA

1. Introduction.

MG ALBA is short for Meadhanan Gàidhlig Alba (Gaelic Media Scotland) and is the operating name of Seirbheis nam Meadhanan Gàidhlig or the Gaelic Media Service.

MG ALBA's statutory purpose is set out in section 208, Communications Act 2003:

“to secure that a wide and diverse range of high quality programmes in Gaelic are broadcast or otherwise transmitted so as to be available to persons in Scotland”

“...and a reference to being available to persons in Scotland includes a reference to being available both to persons in Scotland and to others”

Governance oversight of MG ALBA is exercised by Ofcom, who appoint members of the board of MG ALBA subject to the approval of Scottish Ministers.

MG ALBA is funded by the Scottish Government.

2. BBC ALBA

MG ALBA funds and operates BBC ALBA (the Gaelic language television channel) in partnership with the BBC. BBC ALBA is the first partnership television service to operate under a BBC licence.

BBC ALBA fulfils the UK's obligations for Gaelic television under Article 11 of the European Charter for Regional or Minority Languages¹ and is an important part of the Scottish broadcast ecology, commissioning a large proportion of all independently produced TV content in Scotland.

BBC ALBA's content budgets for 2017-18 are £11.5m from MG ALBA and 6.7m from the BBC, and are expected to be similar in 2018-19