Code of Practice for Regulated Television Selection Services

Appropriate prominence and accessibility

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1. Introduction

The code of practice for regulated television selection services

1.1 Under Part 3A of the Communications Act 2003 ('Act'), Ofcom must issue a Code of Practice ('Code') for **providers** of ***regulated television selection services***. This Code must describe the actions that Ofcom recommends **providers** take to comply with the appropriate prominence duty and accessibility duty (as defined below). [1]

1.2 A **provider** of a ***regulated television selection service*** must secure that the manner in which that service presents ***internet programme services*** to its **users** in the United Kingdom gives an appropriate degree of prominence to each of the ***designated internet programme services*** included in its service. [2] This includes giving an appropriate degree of prominence to:

a) material included in the ***designated internet programme service*** that is ***public service remit content***, or contributes to the promotion of one or more of the BBC's public purposes; and

b) any ***listed channel*** included in that ***designated internet programme service*** [3]

(the "appropriate prominence duty").

1.3 The appropriate prominence duty does not require that a ***designated internet programme service*** be given prominence, or the same degree of prominence, in relation to every area of the United Kingdom. [4]

1.4 A **provider** of a ***regulated television selection service*** must also incorporate features in that service that secure that persons with disabilities, in particular those affecting their sight or hearing or both are:

a) able, so far as practicable, to make use of the ***regulated television selection service*** for all the same purposes as persons without disabilities; and

b) informed about, and are able to make use of, whatever ***assistance for disabled people*** is provided in relation to the ***internet programme services*** included in the ***regulated television selection service***. [5] "Assistance for disabled people" includes, in particular, any of the following: subtitling; audio-description for the blind and partially sighted; and presentation in, or translation to, sign language [6]

(the "accessibility duty").

1.5 Over time Ofcom may update the Code to take account of technological developments, new evidence, and any other relevant matters.

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[1] Section 362AP(1) of the **Act**.
[2] Section 362AO(1) of the **Act**.
[3] Section 362AO(3) of the **Act**.
[4] Section 362AO(2) of the **Act**.
[5] Section 362AO(4) of the **Act**.
[6] Sections 362(1) and 362AO(5) of the **Act**.

The recommended actions

1.6 Section 2 of this Code sets out Ofcom's recommended actions and is divided into actions for meeting: (a) the appropriate prominence duty; and (b) the accessibility duty. The meaning of terms in **bold** and terms in ***bold and italics*** is explained in Section 3.

1.7 The **Act** sets out that **providers** which take the actions recommended to them in this Code will be treated as complying with the relevant duty or duties to which those actions relate. [7] Accordingly, **providers** that follow the recommended actions:

a) in Part A of section 2 will be treated as complying with the appropriate prominence duty in section 362AO(1) of the **Act**; and

b) in Part B of section 2 will be treated as complying with the accessibility duty in section 362AO(4) of the **Act**.

1.8 We advise **providers** to keep a record of how they have followed the recommendations in this Code.

1.9 **Providers** may seek to comply with their duties by taking alternative actions. Where they take alternative actions, we advise **providers** to maintain a record of what they have done and how they consider it meets the relevant duties.

1.10 Ofcom considers that the actions recommended in this Code are consistent with the agreement objectives as defined in section 362AM of the **Act**. [8]

Application and scope

1.11 This Code applies to a **provider** in respect of each ***regulated television selection service*** that it provides (so far as applicable to a particular ***regulated television selection service***).

1.12 This Code applies to ***regulated television selection services*** provided from outside the United Kingdom, as well as such services provided from within the United Kingdom. [9]

1.13 This Code applies to a ***regulated television selection service*** only so far as the **provider** makes the service available for use by members of the public in the United Kingdom. [10]

1.14 References to an ***internet programme service*** include such a service provided from outside the United Kingdom, as well as services provided from within the United Kingdom. [11]

[7] Section 362AQ(1) of the **Act**.
[8] In accordance with section 362AP(5) of the **Act**.
[9] Section 362AZ11(2) of the **Act**.
[10] Section 362AZ11(1) of the **Act**.
[11] Section 362AZ11(3) of the **Act**.

2. Recommended actions

Part A. Appropriate prominence

A1. App menus

Application

A1.1 The actions in this recommendation A1 apply to a **provider** in respect of each ***regulated television selection service*** it provides which has one or more **app menus**.

Recommended actions

A1.2 **Inclusion of designated internet programme service apps in app menus**

a. Where a ***designated internet programme service*** is included in the ***regulated television selection service*** through an app (a "**designated internet programme service app**"), the **provider** should include that app in:

   i. the most prominent **app menu** on the ***regulated television selection service*** (the "**main app menu**"); and

   ii. the **app menu** (or where there is more than one **app menu**, the most prominent **app menu**) on any **dedicated app page** on the ***regulated television selection service*** that does not include the **main app menu**.

b. In determining which **app menu** is the most prominent, the **provider** should have regard to the following principles (taken together):

   i. An **app menu** that is **immediately visible** once the **user** has navigated to the **page** on which the **app menu** is located has a greater degree of prominence than any **app menu** that is not **immediately visible** on that **page**;

   ii. The nearer to the top of the **page** the **app menu** is positioned, the greater its degree of prominence;

   iii. The fewer the number of clicks (or equivalent) to reach the **app menu**, the greater its degree of prominence; and

   iv. Any other principle which is relevant to giving prominence to **app menus** on the ***regulated television selection service***, where anything that is more likely to increase the visibility of, attention given to, or ease of access to apps included in an **app menu** gives it a greater degree of prominence.

A1.3 **<u>Order of designated internet programme service apps on non-regionalised regulated television selection services</u>**

a. This action A1.3 applies where the presentation on the ***regulated television selection service*** of ***internet programme services*** included through an app does not differ for **users** in different areas of the United Kingdom.

b. The **provider** should ensure that, in each **app menu** to which action A1.2(a) refers, the **designated internet programme service apps** referred to in paragraph (c) of this action A1.3:

   i. are **immediately visible**;

   ii. are presented in the order set out in paragraph (c) of this action A1.3 (though need not be presented contiguously); and

   iii. appear within the highest nine positions.

c. The order referred to in paragraph (b)(ii) of this action A1.3 is as follows:

   i. The **BBC service**;

   ii. The **Channel 3 ITV service**;

   iii. The **Channel 4 service**;

   iv. The **Channel 5 service**;

   v. The **S4C service**; and

   vi. The **Channel 3 STV service.**

A1.4 **<u>Order of designated internet programme service apps on regionalised regulated television selection services</u>**

a. This action A1.4 applies where the presentation on the ***regulated television selection service*** of ***internet programme services*** included through an app differs for **users** in different areas of the United Kingdom.

b. For **users** in Wales, the **provider** should ensure that, in each **app menu** to which action A1.2(a) refers, the **designated internet programme service apps** referred to in paragraph (c) of this action A1.4:

   i. are **immediately visible**;

   ii. are presented in the order set out in paragraph (c) of this action A1.4 (though need not be presented contiguously); and

   iii. appear within the highest eight positions.

c. The order referred to in paragraph (b)(ii) of this action A1.4 is as follows:

   i. The **BBC service**;

   ii. The **Channel 3 ITV service**;

   iii. The **S4C service**;

iv. The **Channel 5 service**; and

v. The **Channel 4 service**.

d. For **users** outside of Wales, the **provider** should ensure that, in each **app menu** to which action A1.2(a) refers, the **designated internet programme service apps** referred to in paragraph (e) of this action A1.4:

i. are **immediately visible**;

ii. are presented in the order set out in paragraph (e) of this action A1.4 (though need not be presented contiguously); and

iii. appear within the highest seven positions.

e. The order referred to in paragraph (d)(ii) of this action A1.4 is as follows:

i. The **BBC service**;

ii. The **relevant Channel 3 service**;

iii. The **Channel 4 service**; and

iv. The **Channel 5 service**.

f. For **users** outside of Wales, the **provider** should ensure that the **designated internet programme service app** for the **S4C service** is easily discoverable in each **app menu** to which action A1.2(a) refers.

A1.5 **Presentation of designated internet programme service apps**

In each **app menu** to which action A1.2(a) refers, the **provider** should ensure that the presentation of **designated internet programme service apps** is similar to the presentation of other ***internet programme services*** that are included in the ***regulated television selection service*** through an app, including (without limitation) in relation to shape, size, form, contrast and highlighting.

A1.6 **User choice**

Nothing in this recommendation A1 should prevent **users** from removing or deciding the order of the **designated internet programme service apps** in each **app menu** to which action A1.2(a) refers, provided that such functionality is available on an equivalent basis for the **designated internet programme service apps** and other ***internet programme services*** included through an app in the relevant **app menu.**

A2. Primary content areas

Application

A2.1 The actions in this recommendation A2 apply to a **provider** in respect of each ***regulated television selection service*** it provides which has either or both of the following:

a. one or more **disaggregated content areas**;

b. a **primary promotional area**.

Recommended actions

A2.2 **Prominence of public service programmes taken together**

a. Across all of the **primary content areas** (taken together), the **provider** should ensure that the degree of prominence given to **public service programmes** (taking all of the **public service programmes** together) is similar to the degree of prominence given to ***programmes*** which are not **public service programmes** (taking all such ***programmes*** together).

b. In taking the action recommended in paragraph (a) of this action A2.2, the **provider** should have regard to the following principles (taken together):

i. The greater the proportion of total ***programmes*** presented which are **public service programmes**, the greater the degree of prominence of **public service programmes** (taken together);

ii. The longer a ***programme*** is presented, the greater its degree of prominence;

iii. ***Programmes*** presented in positions more likely to enable easy discovery and ***access*** (such as where ***programmes*** are **immediately visible** or appear early in a sequence or list) have a greater degree of prominence than ***programmes*** presented in positions less likely to do so;

iv. ***Programmes*** presented during periods of higher user engagement or viewing have a greater degree of prominence than ***programmes*** presented during periods of lower user engagement or viewing;

v. ***Programmes*** presented in a way more likely to enable easy discovery and ***access*** (such as through a larger tile enabling ***access*** to a particular ***programme***) have a greater degree of prominence than ***programmes*** presented in a way less likely to do so; and

vi. Any other principle which is relevant to giving prominence to ***programmes*** on the ***regulated television selection service***, where anything that is more likely to increase the visibility of, attention given to, or ease of ***access*** to ***programmes*** gives them a greater degree of prominence.

A2.3 **Prominence for each designated internet programme service**

a. Where the presentation of ***programmes*** on the ***regulated television selection service*** does not differ for **users** in different areas of the United Kingdom, the **provider** should ensure that, in taking the action recommended in paragraph (a) of action A2.2, the **primary content areas** (taken together) frequently present **public service programmes** from each ***designated internet programme service***.

b. Where the presentation of ***programmes*** on the ***regulated television selection service*** differs for **users** in different areas of the United Kingdom, the **provider** should ensure that, in taking the action recommended in paragraph (a) of action A2.2, the **primary content areas** (taken together) frequently present **public service programmes** from each of the ***designated internet programme services*** referred to below:

   i. The **BBC service**;

   ii. The **relevant Channel 3 service**;

   iii. The **Channel 4 service**;

   iv. The **Channel 5 service**; and

   v. The **S4C service**.

A2.4 **Order of prominence**

The **provider** should have regard to the order referred to below when determining the degree of prominence to give to the **public service programmes** included in each ***designated internet programme service***, where the **public service programmes** included in the ***designated internet programme service*** listed first have the greatest degree of prominence and the **public service programmes** included in the ***designated internet programme service*** listed last have the lowest degree of prominence:

a. Where the presentation of ***programmes*** on the ***regulated television selection service*** does not differ for **users** in different areas of the United Kingdom, the order of ***designated internet programme services*** set out in paragraph (c) of action A1.3;

b. Where the presentation of ***programmes*** on the ***regulated television selection service*** differs for **users** in different areas of the United Kingdom:

   i. For **users** in Wales, the order of ***designated internet programme services*** set out in paragraph (c) of action A1.4; and

   ii. For **users** outside of Wales, the following order:

      1. The **BBC service**;

      2. The **relevant Channel 3 service**;

      3. The **Channel 4 service**;

      4. The **Channel 5 service**; and

      5. The **S4C service**.

A2.5 **Accessing and watching public service programmes**

The **provider** should ensure that **users** are able easily to ***access*** **public service programmes** from the **primary content areas** in which those **public service programmes** are presented.

A2.6 **Determining the primary content areas**

a. For the purposes of this recommendation A2, the **primary content areas** are as described below. Where the ***regulated television selection service*** has:

   i. a **primary promotional area** and no **disaggregated content areas**, the **primary promotional area**;

   ii. no **primary promotional area** and one **disaggregated content area**, that **disaggregated content area**;

   iii. no **primary promotional area** and more than one **disaggregated content area**, the most prominent **disaggregated content areas** such that at any one time a substantial number of ***programmes*** are presented in those **disaggregated content areas**;

   iv. **a primary promotional area** and one **disaggregated content area,** the **primary promotional area** and the **disaggregated content area**; or

   v. a **primary promotional area** and more than one **disaggregated content area**: (1) the **primary promotional area**; and (2) the most prominent **disaggregated content areas**, such that at any one time a substantial number of ***programmes*** are presented in those **disaggregated content areas**.

b. In determining which **disaggregated content areas** are the most prominent, the **provider** should have regard to the following principles (taken together):

   i. **Disaggregated content areas** presented in a way more likely to enable easy discovery and ***access*** to the ***programmes*** included in them (such as those areas being larger or visually emphasised) have a greater degree of prominence than **disaggregated content areas** presented in a way less likely to do so;

   ii. **Disaggregated content areas** that are **immediately visible** once the **user** has navigated to the **page** on which they are located have a greater degree of prominence than **disaggregated content areas** that are not **immediately visible** on that **page**;

   iii. The nearer to the top of the **page** a **disaggregated content area** is positioned, the greater its degree of prominence;

   iv. The fewer the number of clicks (or equivalent) to reach a **disaggregated content area**, the greater its degree of prominence; and

   v. Any other principle which is relevant to giving prominence to **disaggregated content areas** on the ***regulated television selection service***, where anything that is more likely to increase the visibility of, attention given to, or ease of

access to ***programmes*** included in a **disaggregated content area** gives it a greater degree of prominence.

A3. Search

Application

A3.1 The actions in this recommendation A3 apply to a **provider** in respect of each ***regulated television selection service*** it provides that has **search functionality**.

Recommended actions

A3.2 **Prominence where public service programmes are the most relevant results**

Subject to action A3.7, where one or more **public service programmes** are the most relevant results from a **user search**, the **provider** should ensure that they are given a greater degree of prominence in the **search results** than other ***programmes*** in the **search results**, including but not limited to any **provider content** or **sponsored content**.

A3.3 **Prominence where public service programmes are similarly relevant results**

Subject to action A3.7, where both:

a. **public service programmes**; and

b. ***programmes*** which are not **public service programmes**

are similarly relevant results from a **user search**, the **provider** should ensure that the degree of prominence given to the **public service programmes** in the **search results** is similar to the degree of prominence given to ***programmes*** that are not **public service programmes** in the **search results**.

A3.4 **Determining relevance**

For the purposes of determining the relevance of ***programmes*** in response to a **user search** under actions A3.2 and A3.3, the **provider** may have regard to, among other things, available information about those ***programmes*** (for example genre, subject matter, actors), the **user**'s location and the **user**'s past behaviour.

A3.5 **Principles relevant to the degree of prominence**

In taking the actions recommended in actions A3.2 and A3.3, the **provider** should have regard to the following principles (taken together):

a. The higher the position in which a ***programme*** appears, the greater the degree of its prominence;

b. The greater the proportion of total ***programmes*** presented which are **public service programmes**, the greater the degree of prominence of **public service programmes** (taken together);

c. ***Programmes*** presented in a way more likely to enable easy discovery and ***access*** (such as through a larger tile enabling ***access*** to a particular ***programme***) have a greater degree of prominence than ***programmes*** presented in a way less likely to do so; and

d. Any other principle which is relevant to giving prominence to ***programmes*** on the ***regulated television selection service***, where anything that is more likely to increase the visibility of, attention given to, or ease of ***access*** to ***programmes*** gives them a greater degree of prominence.

A3.6 **Accessing and watching public service programmes**

The **provider** should ensure that **users** are able easily to ***access*** **public service programmes** from the **search results** in which those **public service programmes** are presented.

A3.7 **Public service programmes in recognised regional or minority languages**

a. This action applies where a **user search** is made in a ***recognised regional or minority language***.

b. Actions A3.2 and A3.3:

   i. apply only to **public service programmes** in the ***recognised regional or minority language*** in which the **user search** is made; and

   ii. should be interpreted as though they recommend that the **provider** should take reasonable steps to ensure that the **public service programmes** to which the relevant action applies are given the degree of prominence specified in that action.

A4. Listed Channels

Application

A4.1 The actions in this recommendation A4 apply to a **provider** in respect of each ***regulated television selection service*** it provides that has one or more **live TV areas**.

A4.2

a. Nothing in this recommendation A4 applies to a **live TV area** which:

   i. is a ***regulated electronic programme guide***; or

   ii. appears on a **page** on which there is a ***regulated electronic programme guide*** that has a greater degree of prominence than the relevant **live TV area**.

b. In determining whether paragraph (a)(ii) of this action A4.2 applies, the **provider** should have regard to the principles set out in paragraphs (b)(i) to (b)(iv) of action A4.3 below.

Recommended actions

A4.3 **Inclusion of listed channels in live TV areas**

a. Where the ***listed channels*** referred to in action A4.4 below are included in the ***designated internet programme service*** specified in that action, the **provider** should include those ***listed channels*** in:

   i. the most prominent **live TV area** on the ***regulated television selection service*** (the "**main live TV area**"); and

   ii. the **live TV area** (or where there is more than one **live TV area**, the most prominent **live TV area**) on any **dedicated live TV page** on the ***regulated television selection service*** that does not include the **main live TV area**.

b. In determining which **live TV area** is the most prominent **live TV area**, the **provider** should have regard to the following principles (taken together):

   i. A **live TV area** that is **immediately visible** once a **user** has navigated to the **page** on which the **live TV area** is included has a greater degree of prominence than any **live TV area** which is not **immediately visible** on that **page**;

   ii. The nearer to the top of the **page** the **live TV area** is positioned, the greater its degree of prominence;

   iii. The fewer the number of clicks (or equivalent) to reach the **live TV area**, the greater its degree of prominence; and

iv. Any other principle which is relevant to giving prominence to **live TV areas** on the ***regulated television selection service***, where anything that is more likely to increase the visibility of, attention given to, or ease of ***access*** to ***programmes*** included in a **live TV area** gives it a greater degree of prominence.

A4.4 **Order and position of listed channels**

Subject to action A4.5, the **provider** should ensure that the ***listed channels*** (when included in the ***designated internet programme service*** provided by the provider of the relevant ***listed channel***) are presented as follows in each **live TV area** to which action A4.3(a) refers:

a. BBC One should appear in the first position;

b. BBC Two should appear in the second position;

c. ITV should appear in the third position;

d. Channel 4 should appear in the fourth position;

e. Channel 5 should appear in the fifth position;

f. S4C Digital should appear in the sixth position;

g. STV should appear in the seventh position;

h. BBC Alba, BBC Scotland, BBC Three and BBC Four should appear no lower than the 24th position;

i. Unless action A4.6 applies, BBC News, BBC Parliament, CBBC and CBeebies may appear in any position.

A4.5 **Modifications to order and position of listed channels on regionalised regulated television selection services**

a. This action applies where the presentation on the ***regulated television selection service*** of channels in a **live TV area** differs for **users** in different areas of the United Kingdom.

b. For **users** in Wales, the **provider** should take action A4.4 in relation to each **live TV area** to which action A4.3(a) refers, except:

i. Where S4C Digital is included in the **S4C service**, it should appear in the fourth position;

ii. Where Channel 4 is included in the **Channel 4 service**, it should appear no lower than the eighth position; and

iii. STV, BBC Alba and BBC Scotland need not appear.

c. For **users** outside of Wales, the **provider** should take action A4.4 in relation to each **live TV area** to which action A4.3(a) refers, except:

i. Where a ***listed channel*** that is a Channel 3 service is included in the **relevant Channel 3 service**, it should appear in the third position;

ii. No other ***listed channel*** that is a Channel 3 service need appear;

iii. Where S4C Digital is included in the **S4C service**, it should appear no lower than the 24th position; and

iv. BBC Alba and BBC Scotland need not appear for **users** outside of Scotland.

A4.6 **Grouping of channels by genre**

In respect of any **live TV area** to which action A4.3(a) refers, or any part of such a **live TV area**, which presents or groups channels by genre, the **provider** should ensure that, where they are included in the **BBC service**, BBC News, BBC Parliament, CBBC and CBeebies appear no lower than in the eighth position in any relevant genre section or channel grouping.

A4.7 **Equivalent prominence**

Where a **live TV area** to which action A4.3(a) refers does not present channels in the form of a list, the **provider** should ensure that the presentation in that **live TV area** of the ***listed channels*** included in the ***designated internet programme services*** achieves an equivalent degree of prominence to that set out in actions A4.4 to A4.6 (as applicable).

A4.8 **User choice**

Nothing in this recommendation A4 should prevent **users** from deciding the order of the ***listed channels*** in each **live TV area** to which action A4.3(a) refers, provided that such functionality is available on an equivalent basis for the ***listed channels*** and other channels included in the relevant **live TV area**.

A4.9 **Listed channels to appear once in a live TV area**

Nothing in this recommendation A4 should be interpreted to mean that a ***listed channel*** should appear more than once in each **live TV area** to which action A4.3(a) refers.

A5. Attribution

Application

A5.1 The actions in this recommendation A5 apply to a **provider** in respect of each ***regulated television selection service*** it provides.

Recommended actions

A5.2 **Attribution of public service programmes**

a. In relation to the presentation of a **public service programme** on the ***regulated television selection service***, the **provider** should clearly indicate to **users** one or more of the following:

i. The ***designated internet programme service*** in which the **public service programme** is included;

ii. The provider of the ***designated internet programme service*** in which the **public service programme** is included;

iii. The channel in which the **public service programme** is included;

iv. Any other form of attribution as agreed by the **provider** and the provider of the ***designated internet programme service*** in which the **public service programme** is included.

b. In relation to a **public service programme** included in both the **Channel 3 ITV service** and the **Channel 3 STV service**, the **provider** should clearly indicate to **users** that the **public service programme** is included in:

i. where the presentation of ***programmes*** on the ***regulated television selection service*** does not differ for **users** in different areas of the United Kingdom, both such ***designated internet programme services*** in accordance with any of the actions recommended in paragraphs (a)(i) to (a)(iv) of this action A5.2, or any combination thereof; or

ii. where the presentation of ***programmes*** on the ***regulated television selection service*** differs for **users** in different areas of the United Kingdom, the **relevant Channel 3 service** in accordance with any of the actions recommended in paragraphs (a)(i) to (a)(iv) of this action A5.2.

A5.3 **Similarity of attribution**

The **provider** should ensure that the way in which it indicates the matters referred to in actions A5.2(a)(i) to (iii) is similar (for example in relation to shape, size, form, contrast and highlighting) to the way in which it indicates (as applicable):

a. The ***internet programme service*** in which a ***programme*** which is not a **public service programme** is included;

b. The provider of the ***internet programme service*** in which a ***programme*** which is not a **public service programme** is included;

c. The channel in which a ***programme*** which is not a **public service programme** is included.

A5.4 **Accessing and watching public service programmes**

a. Where a **public service programme** is attributed under action A5.2, the **provider** should ensure that **users** are able easily to ***access*** that **public service programme** from where it is presented on the ***regulated television selection service*****.**

b. For the avoidance of doubt, in relation to a **public service programme** which is attributed to both the **Channel 3 ITV service** and the **Channel 3 STV service** under action A5.2(b)(i), the **provider** should ensure that **users** are able easily to ***access*** that **public service programme** on each of the **Channel 3 ITV service** and the **Channel 3 STV service.**

Part B. Accessibility

B1. Using the regulated television selection service

Application

B1.1 The actions in this recommendation B1 apply to a **provider** in respect of each ***regulated television selection service*** it provides.

B1.2 Nothing in this recommendation B1 applies to any area of the ***regulated television selection service*** which is a ***regulated electronic programme guide***.

Recommended actions

B1.3 **Alternatives to visual information**

a. Where either or both of:

   i. visual information in the form of text which is in the English language; and

   ii. any other visual information which is not in the form of text

   is needed to make use of the ***regulated television selection service***, including (without limitation) for navigating the user interface and for perceiving information about ***assistance for disabled people***, the **provider** should ensure that **users** are able to access this information in a non-visual format, for example through a function that renders text / symbols as audio.

b. Where visual information in the form of text which is in a ***recognised regional or minority language*** is needed to make use of the ***regulated television selection service***, the **provider** should take reasonable steps to enable **users** to access this information in a non-visual format.

B1.4 **Text and image enlargement**

The **provider** should ensure that **users** are able to enlarge the size of any elements of the user interface necessary to make use of the ***regulated television selection service***, including images and text (where relevant), for example through a 'magnification' or 'zoom' function.

B1.5 **Distinguishable text and images**

The **provider** should ensure that **users** are able to distinguish from their surroundings any visual elements that are necessary to make use of the ***regulated television selection service***, whether by virtue of the default presentation of the user interface or by enabling **users** to adapt the user interface, for example using

high contrast ratio as defined by reference to the most recent version of the W3C Web Content Accessibility Guidelines success criterion for enhanced contrast. [12]

B1.6 **Information on accessibility features**

a. The **provider** should ensure that the ***regulated television selection service*** includes information for **users** about the availability of, and how to use, the features described in actions B1.3 to B1.5. This could include, for example, information in a 'settings' or 'accessibility' menu.

b. The **provider** should ensure that such information is easily discoverable on the ***regulated television selection service*** for disabled **users**, including during set-up of the ***regulated television selection service***. For example, any 'accessibility' option in a 'settings' menu should be visible without the **user** needing to take further action once they have navigated to the 'settings' menu.

B2. Being informed about – and able to make use of – assistance for disabled people

Application

B2.1 The actions in this recommendation B2 apply to a **provider** in respect of each ***regulated television selection service*** it provides.

B2.2 Nothing in this recommendation B2 applies to any area of the ***regulated television selection service*** which is a ***regulated electronic programme guide***.

Recommended actions

B2.3 **Labelling of accessible programmes**

a. This action B2.3 applies where:

i. the ***regulated television selection service*** displays information in relation to a ***programme*** as included in a particular ***internet programme service***; and

ii. the **provider** possesses metadata on the availability of ***assistance for disabled people*** in relation to that ***programme***.

b. The **provider** should ensure that information regarding the presence of ***assistance for disabled people*** in relation to a ***programme*** is provided to a **user** before the **user** ***accesses*** that ***programme***. For example, it could be

[12] Currently guideline 1.4.6, specifying a contrast ratio of no less than 7:1.

included in the information given as a result of a **user search** or when hovering over ***programmes*** in a **disaggregated content area**.

c. The **provider** should ensure that **users** can access information that a ***programme*** has **audio description** in a non-visual format, for example via a text-to-speech function or via an audible beep.

B2.4 Enabling the use of access services

Where ***assistance for disabled people*** is provided in relation to one or more ***programmes*** contained in the ***internet programme services*** included in the ***regulated television selection service***, the **provider** should take reasonable steps to secure that **users** can make use of that ***assistance for disabled people***. This includes, but is not limited to, use of **subtitles**, **audio description**, and British Sign Language.

3. Definitions and interpretation

3.1 Terms in **bold** used in this Code have the meanings set out in table A. The meaning given applies even if the term is also used in the **Act**.

3.2 Terms in ***bold and italics*** used in this Code have the same meaning as in the **Act**. Table B provides a reference to the provision(s) in the **Act** containing the definition of the relevant term.

3.3 Terms in the singular should be interpreted as including the plural and vice versa unless otherwise stated.

3.4 Headings in **bold and underline** in this Code are for reference purposes only and do not affect in any way the meaning or interpretation of this Code.

3.5 Where an action in this Code recommends that the **provider** gives **public service programmes** a similar degree of prominence to other ***programmes***, this does not prevent the **provider** from giving **public service programmes** a greater degree of prominence than other ***programmes***.

3.6 Where a recommendation in this Code refers to a ***designated internet programme service*** and Ofcom has not designated that service, or has revoked the designation of that service, such recommendation should be interpreted as if it does not refer to that service. A list of ***designated internet programme services*** is maintained on the Ofcom website.

Table A - Definitions of terms in bold used in the Code

Term	Meaning
Act	The Communications Act 2003.
App menu	An area of the user interface of a ***regulated television selection service*** where **users** may directly access multiple ***internet programme services*** that are delivered through an app. This may take the form of, among other things, a single row/rail of apps, or a grid/multiple rows of apps.
Audio description	An audio commentary that describes what is happening on screen, primarily for blind and partially sighted people.
BBC service	The ***designated internet programme service*** provided by the BBC.
Central Scotland	The regions served by the STV Central Scotland Regional Channel 3 Licence (C3000012).

Term	Meaning
Channel 3 ITV service	The ***designated internet programme service*** which is designated as making, or capable of making, a significant contribution to the fulfilment of the public service remit for Channel 3 in respect of the United Kingdom save for **Central Scotland** and **North of Scotland**.
Channel 3 STV service	The ***designated internet programme service*** which is designated as making, or capable of making, a significant contribution to the fulfilment of the public service remit for Channel 3 in respect of **Central Scotland** and the **North of Scotland**.
Channel 4 service	The ***designated internet programme service*** which is designated as making, or capable of making, a significant contribution to the fulfilment of the public service remit for Channel 4.
Channel 5 service	The ***designated internet programme service*** which is designated as making, or capable of making, a significant contribution to the fulfilment of the public service remit for Channel 5.
Dedicated app page	A **page** of the user interface which consists principally of one or more **app menus**. This is typically a **page** which lists all or most of the apps accessible via the ***regulated television selection service***.
Dedicated live TV page	A **page** of the user interface which consists principally of one or more **live TV areas** which list all or most of the linear television channels accessible via the ***regulated television selection service***. This is typically a **page** with an ***electronic programme guide***.
Designated internet programme service app	As defined in action A1.2(a).

Term	Meaning
Disaggregated content area	A distinct area of the user interface of a ***regulated television selection service*** where at any one time multiple ***programmes*** are presented to **users** and grouped together, often by a common theme (for example genre, "top picks", "most popular", or the ***internet programme service*** in which the ***programmes*** are included). The ***programmes*** are often presented as tiles in a row or rail. This excludes any area which enables **users** to ***access programmes*** that they have already started watching, or that they have stored, saved or otherwise highlighted.
Immediately visible	Something being visible to the **user** without the **user** needing to take any further action to make it visible, such as scrolling or clicking.
Live TV area	An area of the user interface of a ***regulated television selection service*** where **users** may access linear television channels.
Main app menu	As defined in action A1.2(a). This is typically the **app menu** that appears in the highest position on the homepage of the user interface of the ***regulated television selection service***.
Main live TV area	As defined in action A4.3(a). This is typically the **live TV area** that appears in the highest position on the homepage of the user interface of the ***regulated television selection service***.
North of Scotland	The region covered by the STV North of Scotland Regional Channel 3 Licence (C3000007).
Page	A screen or view within the user interface of the ***regulated television selection service*** that is distinct in its purpose, functionality, or content presentation from another screen or view. A change only to content displayed within such a screen or view, including scrolling, refreshing, personalisation, or re-ordering of content, does not constitute a separate page.
Primary content areas	As described in action A2.6.

Term	Meaning
Primary promotional area	The primary area of the user interface of a ***regulated television selection service*** where at any one time an individual ***programme*** or set or series of ***programmes*** is presented or promoted to **users**, often at the top of the welcome or homepage of the user interface and occupying a larger proportion of the screen than other elements. This area may also be used to promote or advertise other goods and services that are not ***programmes***.
Provider	The person who has general control over the manner in which a ***regulated television selection service*** presents to its **users** the ***internet programme services*** that are included in the ***regulated television selection service***. The fact that a ***regulated television selection service*** relies to any extent on algorithms to determine the prominence given to (a) an ***internet programme service*** included in the ***regulated television selection service***, or (b) any ***programme*** provided by an ***internet programme service*** included in the ***regulated television selection service***, does not prevent a person from having general control of the ***regulated television selection service.*** [13]
Provider content	***Programmes*** which are included in an ***internet programme service*** provided by the **provider** of the ***regulated television selection service*** in which that ***internet programme service*** is included.
Public service programmes	***Programmes*** which are: (1) included in the **BBC service** and contribute to the promotion of one or more of the BBC's public purposes; or (2) ***public service remit content*** included in a ***designated internet programme service***.
Relevant Channel 3 service	(1) Where the **user** is within the ***intended audience*** for the Channel 3 service for **Central Scotland** or the Channel 3 service for the **North of Scotland**, the **Channel 3 STV service**; and (2) In all other cases, the **Channel 3 ITV service**.

[13] For the avoidance of doubt, this definition is based on the description of a provider of a television selection service in section 362AE(5) of the **Act**.

Term	Meaning
S4C service	The ***designated internet programme service*** which makes a significant contribution to the fulfilment of S4C's public service remit.
Search functionality	A feature or functionality on a ***regulated television selection service*** which surfaces relevant ***programmes*** in response to a prompt entered by the **user**. The prompt may take any form, but is commonly entered as text or speech.
Search results	The ***programmes*** that are surfaced in response to a **user search**.
Sponsored content	***Programmes*** in respect of which the **provider** has received consideration to promote, excluding **public service programmes**.
Subtitles	Text on screen representing speech and sound effects synchronised as closely as possible to the sound, suitable for use by people with hearing loss and deaf people.
User	A user of the ***regulated television selection service***.
User search	The use of **search functionality** by a **user**.

Table B – Terms used in the Code that have the meaning given in the Act

Term	Meaning
Access	As described in section 362AZ12(8) of the **Act**.
Assistance for disabled people	As defined in section 362(1) of the **Act**.
Designated internet programme service	As defined in section 362AA(1) of the **Act**.
Electronic programme guide	As defined in section 310(8) of the **Act**.
Intended audience	As defined in sections 272(7) and 273(7) of the **Act**.
Internet programme service	As defined in section 362AA(10) of the **Act**.
Listed channels	As set out in section 362AM(3) of the **Act**.
Programme	As described in section 368ZA of the **Act**.
Public service remit content	As defined in section 362AA(12) of the **Act**.
Recognised regional or minority language	As defined in section 264(16) of the **Act**.
Regulated electronic programme guide	As defined in section 211A(2) of the **Act**.
Regulated television selection service	As defined in section 362AF(1) of the **Act**.