

## **The response of Ofcom's advisory committee for Wales to Ofcom's draft code of practice for Appropriate Prominence and Accessibility on connected TV platforms –**

The advisory committee welcomes the opportunity to respond to this important consultation, and to highlight its relevance to Welsh consumers and users.

The role of public service media and content is critical to civil society in Wales, and a necessary part of its role is to ensure that this media, in both Welsh and English, is readily accessible and discoverable to audiences. In particular that content which relates to issues and/or society within Wales and content which is made within Wales is easily discoverable by consumers in Wales.

We welcome Ofcom's intent to ensure that public service broadcaster content is easily discoverable and given prominence on connected TV platforms, with its plans to extend prominence rules to user interfaces and online services. However, while we are supportive of the meaningful protections contained in the draft proposals, we are aware of remaining concerns in Wales as to whether the measures go far enough.

In connection with User Choice, it would be preferable to that the order of designated internet programme service apps set out in the recommendations must be maintained where the User Choice section of the interface ends and before commercial allocation of space on the regulated television selection service begins. This is hinted at section A2.1 of the consultation, but could be clarified.

Both S4C and the Senedd Culture, Communications, Welsh language, Sport and International Relations committee have raised the danger of the risk of Welsh content being difficult to find within operating platforms, compared to present provision on connected television platforms across the UK and in Wales, under the Electronic Programme Guide Code.

We welcome the requirement to ensure prominence of public service programmes taken together, but would request that Ofcom add a regionality requirement to ensure that public service content relevant for Wales is give more prominence within Wales. It is feared that without this requirement, public service content relevant to Wales will rarely achieve prominence on a UK wide basis.

We are concerned that there is no regulatory requirement to ensure that regional programmes and services are made more prominent to consumers in the relevant regions within current public service broadcaster apps and are not adequately provided for in search results for example on ITVX in particular. We request Ofcom to consider the need to mandate this degree of regionalisation across all tech platforms, especially in relation to ITVX and BBC services. We are also anxious that Welsh language content should not be marginalised in the use of algorithms or search rules.

The Wales Advisory Committee also has concerns that the current proposals could mean that users could choose not to have certain apps appear in the order that Ofcom suggests. For example, viewers could choose not to have the S4C app immediately

visible. The Committee seeks assurances that user choice is balanced with the need to make PSB content, in both languages in Wales easily discoverable.'

We welcome the focus on accessibility, to ensure disabled viewers can easily navigate connected TV platform user interfaces and discover accessible content. These rules should address Welsh language accessibility to meet the needs of audiences in Wales to ensure that voice recognition in particular is able to detect regional accents and Welsh language voice prompts.

Finally, we note the focus on recommended actions in the code and the risks associated with platforms' interpretation of the code's technical requirements, despite Welsh content still becoming 'lost' in reality. We request that Ofcom supports those smaller broadcasters such as S4C in negotiation with the content platforms related to prominence, where there may be an imbalance in negotiating power and insufficient financial incentive. Without effective prominence rules, Welsh focussed and Welsh-language services risk becoming harder to discover, reducing audience reach and undermining the public value they provide.

We are grateful for the engagement with Ofcom's support team for the development of the draft code and look forward to further engagement as the code evolves.