



Prominence and Accessibility on Connected TV Platforms: Ofcom Consultation on draft Code of Practice and draft Guidance on the Agreement Objectives

S4C Response (24.03.26)

1. Do you agree with our approach to considering appropriate prominence and our analytical framework? Please provide your reasoning, and if possible, any supporting evidence.

We recognise the value of Ofcom setting out a structured analytical framework to assess appropriate prominence and support the intention to adopt a flexible, principles-based approach. However, we have concerns as to whether the framework, as currently drafted, will deliver the intended policy outcomes in practice.

First, we are concerned about the non-binding nature of the Code. In our engagement with the proposed regulated television selection services (RTSSs), some operators have indicated that they are unable to amend or terminate existing commercial arrangements that may conflict with the proposed framework unless and until the Code is legally binding. ✂ This raises a risk that existing arrangements may continue to shape interface outcomes in ways that undermine the prominence regime and affect visibility and engagement with Welsh-language content for audiences in Wales and across the UK.

Second, while the consultation document recognises the importance of Welsh-language content, this is not reflected in the operative provisions of the Code. In particular, there is no reference to supporting Welsh-language text and voice search, which is increasingly central to content discovery. S4C would welcome a specific requirement for RTSSs to consider how public service content in languages other than English is able to be returned within search results, including adopting technology that supports Welsh language search as soon as that becomes a practicable option. Without explicit provision, Welsh-language content is likely to be less discoverable in key user journeys, particularly as search and voice become increasingly important navigation tools. We don't feel this issue has been sufficiently considered by Ofcom in its Welsh Language Impact Assessment.

Third, the framework focuses predominantly on app-based integrations, with limited consideration of ingest or native content integrations. As content is increasingly surfaced through platform-level recommendations and aggregated rails, this creates a risk that prominence obligations may be applied inconsistently in practice. Greater clarity is therefore needed on how public service media content should be treated when it is ingested and presented natively within platform environments, including within recommendations, curated rails and other discovery surfaces. Otherwise, there is a risk that the most prominent areas of some interfaces fall outside of the regime.

We therefore encourage Ofcom to strengthen the Code to ensure that the “safe harbour” principles represent a clear minimum baseline, it explicitly supports Welsh-language discoverability, and fully reflects the range of content integration models within modern connected TV (CTV) environments.

2. Do you agree with our proposals on app menus, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

We welcome the proposed positioning of S4C Clic within regionalised user interfaces in Wales. As a service specifically serving audiences in Wales, it is entirely appropriate that S4C is positioned alongside BBC iPlayer and ITVX, enabling viewers to discover the full range of relevant public service television content in a single, coherent location.

However, we have significant concerns regarding the potentially temporary nature of the prominence afforded by the proposed app rail placements, and the extent to which these positions may in practice be undermined by interface design choices that allow services to be easily displaced. While personalisation and user control are features of modern (CTV) environments, the effectiveness of the prominence regime risks being materially diluted if DIPS’ apps can be readily deprioritised through platform design or behavioural prompts.

In particular, we would welcome Ofcom including clearer safeguards within the Code to prevent RTSSs from influencing user behaviour in ways that undermine the intended policy outcomes. Examples of this behaviour could include, for example, the use of dynamically re-ordered app rails based on usage patterns, prominent or repeated prompts encouraging users to rearrange app tiles, or out-of-box experience (OOBE) set-up processes that encourage users to select or prioritise particular apps. This final point is particularly significant given evidence from OFCOM’s own research into “*Exploring audience journeys on connected TV devices*” which indicates that default positioning has a lasting impact on user behaviour, with users rarely reconfiguring core navigation structures once initial set-up is complete.

While the aforementioned mechanisms may appear neutral, they may in practice create opportunities for platform operators or third-party service providers to shape interface outcomes, including through commercial arrangements that influence which services users are encouraged to prioritise. Without appropriate safeguards, there is a clear risk that the prominence regime could be circumvented by design choices that effectively allow services to pay to shape user choice.

Subject to this concern, we broadly support Ofcom’s proposals regarding the positioning of DIPS’ apps within app menus, particularly the positions suggested in the draft Code for non-regionalised user interfaces. However, we consider that several aspects of the Code would benefit from further clarification to ensure that the intended policy outcomes are delivered in practice.



1) The Code should provide stronger safeguards in relation to regionalised user interfaces outside Wales both in respect of S4C Clic and the S4C channel.

a) At present, the Code merely states that S4C Clic must be “*easily discoverable*” and provides no direction as to how this is to be achieved. At a minimum, S4C Clic should be guaranteed inclusion within the app rail in these environments and in a position reasonably close to other PSBs (even if not “*immediately visible*” or to the left of / above the fold). While enhanced prominence within Wales is appropriate, given S4C’s expanded remit under the Media Act to serve the entirety of the UK, Welsh speakers, learners and interested audiences across the UK should still be able to discover S4C’s services easily. Ensuring consistent inclusion within the app rail would represent a proportionate mechanism for achieving this.

b) The current proposal that S4C should be included within the top 24 channels on live TV guides in regionalised UIs represents a baseline safeguard. However, we do not consider that this threshold is sufficient to deliver meaningful prominence in practice, particularly given evidence that audience engagement declines significantly as services are positioned further down channel lists (see the related point in our response to Q5). In our view, S4C should be afforded a higher position within regionalised UIs outside Wales to reflect its UK-wide remit and to ensure that it remains readily discoverable to relevant audiences. Last year, 15% of S4C’s BARB measured TV viewing hours were from outside of Wales and this rose to 30% for S4C Clic viewing hours. ✂

2) We are surprised that the code does not mandate for the inclusion of an app rail on all RTSS’s. We note that the UIs of most RTSS’s do provide them, but in some instances, these are not immediately visible on the home page and require navigation to reach them. ✂
..... As a result, mandating prominence on these rails may have little impact unless the app rail itself is clearly visible on the home page of the UI. If the UI does not offer an apps rail, the rail containing PSB apps is positioned too far down the interface hierarchy or is behind additional navigation layers, the practical effect of the prominence regime could be significantly weakened. The absence of an apps rail requirement could also allow RTSS’s to effectively circumvent the prominence requirements by facilitating other presentation methods that can be commercialized and benefit non-PSB apps.

3) Notwithstanding the flexibility included in the code to allow for up to 3 non-PSB apps to appear before and/or between DIPS apps, the Code should specifically protect against outcomes in which services are segmented across multiple app rails, particularly where SVOD services such as Netflix, Disney+, or Amazon Prime Video are grouped together in a separate and potentially more prominent rail. Such an approach risks effectively isolating public service media applications within a single rail and undermining the objective of ensuring their discoverability.

Evidence from audience behaviour research indicates that users primarily interact with services visible within the first screen of a CTV interface, especially above and to the left of the fold, with



engagement declining significantly as services are placed further down the page. Ofcom’s *Media Nations* research has consistently highlighted the importance of ease of discovery, and industry studies (including Hub Entertainment Research) similarly show that users disproportionately select content surfaced most prominently. Given this, we would welcome Ofcom providing further clarification that “immediately visible” requires the full tile of each PSB application to be positioned within the first screen of the user interface, including within the area to the left of, and above, the fold. This is particularly important given the consultation’s recognition that some user interfaces currently display only a limited number of app tiles within this space. We would also welcome clarification that DIPS’ apps should be pre-loaded on user interfaces, rather than requiring users to take active steps to download them, in order to ensure that prominence is delivered effectively in practice.

Finally, S4C strongly believes that it is important for Ofcom to maintain the integrity of the proposed framework as the Code is finalised. CTV interfaces represent highly valuable real estate and discovery environments, and global streaming platforms have strong commercial incentives and significant financial resources to secure preferential placement. PSBs cannot reasonably be expected to compete for prominence through commercial payments. A robust and consistently applied prominence regime is therefore essential to ensure a level playing field in an IP-based television environment.

3. Do you agree with our proposals on primary content areas, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

S4C welcomes Ofcom’s proposal that at least 50% of disaggregated content areas within primary content areas should be reserved for public service media (PSM) content. This represents an important step towards ensuring that public service content remains visible and discoverable in increasingly disaggregated CTV environments.

However, for this measure to be effective in practice, the Code should include clearer safeguards governing how this inventory is implemented. In particular, there should be appropriate guardrails around where, when and how PSM content is surfaced within primary content areas. RTSSs should also be required to evidence their compliance with the 50% requirement, including by providing appropriate data and transparency during negotiations with PSM providers. In the absence of such information, non-compliance should reasonably be presumed.

It is also important that each DIPS is guaranteed a minimum share of the 50% PSM inventory. Without such safeguards there is a significant risk that larger providers will dominate these areas, leaving smaller PSBs with little or no visibility. A baseline allocation for each DIPS, with the remaining inventory distributed through algorithmic or other mechanisms that reflect user choice, would represent a proportionate and workable approach. ✂ This is particularly relevant in the context of S4C households, which may be disproportionately affected by algorithms that rely solely on aggregate usage data. In dual-language households, where Welsh



speakers may represent a minority of overall viewing, their relative consumption can be diluted within total household activity, with the result that Welsh-language content is less likely to be surfaced or recommended.

We also note arguments from RTSSs that we are currently engaging with that curated rails may reduce PSB engagement. We disagree. Greater choice at the interface level is necessary given the degree of personalisation within SVOD services. The increasing use of platform-level data by RTSS's to support their positions further reinforces the need for transparency so that PSBs can understand audience behaviour outside their own environments.

'Continue watching' rails also represent an important route through which audiences access content on CTV platforms. Where appropriate metadata integrations are in place, PSB services should automatically be included within these rails. Their inclusion should not be contingent on separate commercial agreements with device manufacturers or platform operators
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Taken together, these measures would help ensure that the proposed framework delivers effective prominence for public service media services in practice, consistent with the objectives of the UK's PSM prominence framework.

4. Do you agree with our proposals on search, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

We recognise the growing importance of search functionality within CTV environments and welcome Ofcom's decision to address its role within the prominence framework. However, we are concerned that the proposed provisions relating to search may not be sufficiently robust to ensure that public service media—particularly content from smaller or a Welsh-language PSB—is discoverable in practice.

Search is increasingly a primary gateway through which audiences navigate CTV interfaces. The design and operation of search tools can therefore have a significant impact on the visibility of public service content. The draft Code appears to provide considerable flexibility to RTSSs in how search results are generated and prioritised. Without clearer safeguards, there is a risk that search systems may systematically favour larger global streaming platforms whose catalogues, brand recognition and marketing investment are substantially greater.

This risk is particularly acute for minority-language public service media. Search algorithms that rely heavily on popularity signals or scale may disproportionately surface global catalogue content, while culturally important but smaller-scale services may be less visible, particularly where audiences search using different languages or bilingual terms. Welsh-language content may be systematically underrepresented in search results as a result, reducing its prominence to intended audiences.



We therefore encourage Ofcom to consider whether additional safeguards are required to ensure that DIPS (and their content) are appropriately surfaced in relevant search results and that rankings are not influenced by paid prioritisation or commercial arrangements. In particular, where search results would otherwise present PSB and non-PSB content with broadly equal prominence, the Code should make clear that public service media content should be prioritised. This would be consistent with the policy intent of the prominence framework under the Communications Act 2003 and the Media Act provisions, which seek to ensure that public service media remains readily discoverable across evolving television platforms.

We also refer to comments in 1. above on the need for the Code to require RTSSs to consider how public service content in languages other than English can be returned within search results.

5. Do you agree with our proposals on listed channels, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

We are pleased to note the retention of S4C as the 4th slot on any live TV EPG/ rail for regionalised UIs within Wales. This has been S4C’s slot since its launch in 1982 and it is where the audience expects to find the channel. As a channel which particularly serves viewers in Wales, it is wholly appropriate that S4C is grouped with BBC1 Wales, BBC2 Wales and ITV Wales, and that viewers in Wales can discover all of the public service television content that is relevant to them in one place.

However, while we welcome Ofcom’s intention to replicate aspects of the EPG regime within IP channel lists, we remain concerned that the prominence afforded to PSB channels under the proposed approach may be temporary and easily undermined. As noted in our response to Question 2, the ability for users to re-order channel lists, combined with interface design features that encourage personalisation, risks eroding the intended prominence of PSB services over time. Behavioural prompts, default interface configurations or personalisation tools may appear neutral but can in practice influence user behaviour and gradually displace PSB channels from prominent positions. This risk is particularly acute for smaller public service broadcasters, where relatively small shifts in channel position can have a disproportionate impact on audience reach. ✂

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In addition, we believe that RTSSs should be required to provide a clearly visible live TV rail or channel-list environment within their user interfaces. Such areas will play an important role in supporting audiences through the transition to IP-first viewing by providing a familiar and easily accessible route to live television content. This functionality could be delivered either through the Freely interface or via an RTSS’s own live TV environment.

PSBs should, however, retain flexibility in how their live services are delivered within these areas. In particular, they should be able to choose whether to provide disaggregated IP channel feeds or whether viewers access the relevant live streams through deep links into their own apps.



It is also essential that inclusion within these live TV environments is not contingent on commercial payments or revenue-sharing arrangements. ✂ Such practices would risk undermining the policy intent of the prominence regime by effectively requiring PSBs to pay for access to audiences.

For these reasons, Ofcom should ensure that listed channel prominence within IP channel lists is both durable and protected from commercialisation or interface design practices that could erode the visibility of public service media. Ensuring stable and accessible live TV environments within CTV interfaces will be critical in maintaining continuity with the established EPG regime and supporting audiences through the transition to IP-delivered television.

6. Do you agree with our proposals on attribution, and our assessment of their associated impacts? Please provide your reasoning, and if possible, any supporting evidence.

We broadly support Ofcom’s proposals on attribution and recognise the importance of ensuring that PSM content is clearly identifiable and appropriately presented within CTV environments. Ensuring parity of attribution between DIPS and non-PSB services is an important foundation for supporting effective content discovery.

However, we consider that the Code should go further to ensure that attribution operates in a genuinely fair and platform-neutral manner. In particular, Ofcom should consider whether additional safeguards are required to ensure that attribution is not undermined by the way in which content is surfaced and prioritised within user interfaces. Without appropriate safeguards, S4C content may be harder to identify, reducing discoverability and audience engagement.

First, we believe that attribution should be supported by a broader principle of “free-before-pay” discoverability within search and recommendation environments. Where content of comparable relevance is available from both public service media and subscription services, prominence should be given to freely available public service content. This would better reflect the policy intent of the prominence framework and ensure that audiences are directed towards publicly available content where appropriate.

Second, we consider that parity should extend to the treatment of PSB content relative to RTSS-owned or affiliated services. Where RTSSs enable users to personalise or rearrange app rails or content placements (noting our concerns with such functionality), this should apply equally to the platform’s own services. For example, RTSS-owned services ✂ should not be afforded structural advantages or fixed prominence that is not available to PSB services. Ensuring consistent treatment across all services ✂ is essential to maintaining a level playing field.

Third, while we agree that DIPS should supply metadata to support attribution and discovery, the Code should make clear that such metadata is used solely for these purposes. There should be



appropriate safeguards to prevent metadata from being repurposed for wider commercial uses, including targeting, profiling or other forms of value extraction by platform operators.

Evidence from Ofcom’s own research highlights the importance of clear labelling and attribution in supporting content discovery within increasingly complex user interfaces. However, attribution alone is insufficient if it is not supported by fair ranking, presentation and data governance practices.

For these reasons, we encourage Ofcom to strengthen the Code to ensure that attribution operates as part of a broader, fair and effective prominence framework.

15. Do you agree with the assessment of the combined impact of our proposals when considered as a package? Please provide any relevant evidence that supports your position.

We recognise that, taken together, Ofcom’s proposals represent a significant and positive step towards establishing a comprehensive prominence framework for public service media in CTV environments. However, we have several concerns regarding the practical impact of the package as currently proposed.

First, we remain concerned about the implications of the proposed framework for the prominence of S4C in regionalised user interfaces outside Wales. While we welcome the prominence afforded to S4C within non-regionalised UIs, the comparatively limited provisions for regionalised environments raise broader concerns about consistency of access across the UK. As noted earlier in our response, S4C now has a UK-wide public service remit, and audiences outside Wales should be able to discover and access its services easily. We therefore encourage Ofcom to strengthen the Code to ensure that S4C is afforded appropriate prominence across both regionalised and non-regionalised user interfaces.

Second, we do not consider it appropriate for RTSSs to be able to charge for the sharing of data in relation to disaggregated content areas. Access to data on user journeys, content discovery and consumption patterns is a core component of the prominence framework and is essential for DIPS to inform commissioning, scheduling and editorial decisions. This should be treated as a core term of the framework, rather than a commercial add-on.

Third, while we welcome Ofcom’s position on preventing revenue-sharing requirements, we consider that further clarity is needed to ensure that RTSSs cannot indirectly extract value in other ways. ✂

Fourth, we consider that greater clarity is required regarding development and integration costs. DIPS should not be required to fund platform development changes that are driven by RTSS innovation or commercial priorities, as distinct from the ongoing maintenance of their own applications.



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Taken together, these issues suggest that, while the overall framework is directionally positive, further refinement is required to ensure that it delivers fair, timely and effective outcomes for all public service media providers, including smaller PSBs.

16. Do you agree that 12 months is a reasonable period for all providers to bring themselves into compliance? Please provide your reasoning, and if possible, any supporting evidence.

We consider that the proposed implementation timeline is too long. The Media Act has been in force since May 2024, and the publication of the draft Code and guidance should not come as a surprise to industry stakeholders.

Given that consultation and finalisation of the Code could potentially extend into late 2026, a further 12-month implementation period risks delaying the point at which obligations take effect until the end of 2027 or even early 2028. This is particularly significant given Ofcom’s own analysis of the rapid shift towards IP-delivered viewing in *Media Nations*, which suggests that delays in implementation risk entrenching existing platform dynamics.

For smaller public service broadcasters such as S4C, this would mean a prolonged period—potentially several years—during which meaningful prominence is not secured and RTSSs continue to insist on their standard commercial terms. We therefore encourage Ofcom to consider a more accelerated implementation timetable.