

Welsh Government response to Ofcom's Prominence and accessibility on connected TV platforms - Draft code of practice and draft guidance on the agreement objectives

Public service broadcasting plays a critical role in sustaining diversity, cultural identity, and democratic participation across the UK. For Wales, continued availability and visibility of Welsh focused and Welsh-language content is critical as audiences increasingly access television and other media through connected devices such as smart TVs, streaming platforms, and digital aggregators. In addition, ensuring prominence for Welsh PSB content supports the broader Welsh creative economy and sustains production companies, writers, and performers working in Wales.

We welcome Ofcom's work, as required by the Media Act 2024, to ensure public service broadcaster content is easily discovered and prominent on connected TV platforms and plans to extend prominence rules to user interfaces and online services. While we are strongly supportive of the meaningful protections introduced in the draft proposals, we are aware of remaining concerns in Wales as to whether the measures go far enough.

Stakeholders in Wales have questioned whether the proposals are sufficiently robust to avoid the risk of Welsh content becoming "buried" within operating platforms and difficult to find. These include concerns raised by S4C and the Senedd Culture, Communications, Welsh Language, Sport and International Relations Committee on whether plans are delivering sufficient prominence on connected television platforms across the UK and in Wales relative to current prominence under the Electronic Programme Guide Code. Concerns have also been raised regarding the need for specific protections to ensure regional variants are prominent and adequately surfaced in search results. As the draft code is progressed, Ofcom should consider the need to mandate regionalisation across all tech platforms and whether Wales-specific safeguards should be introduced to avoid any marginalisation of Welsh-language content, for example in the use of algorithms or search rules.

We welcome the focus on accessibility, to ensure disabled viewers can easily navigate connected TV platform user interfaces and discover accessible content. These rules must adequately address bilingual accessibility to meet needs of audiences in Wales, to ensure users can easily find and engage with Welsh language content.

We agree flexibility is essential to enable any framework to adapt quickly in response to the rapid changes that continue to impact on where and how content is consumed by audiences. However, care should be taken to ensure flexibility does not come at the cost of a weakening of standards and safeguards.

Finally, we note the focus on recommended actions in the code and risks associated with platform interpretation leading to them technically meeting requirements despite Welsh content still becoming 'lost' in reality. It will be crucial for Ofcom to support PSBs in negotiations with platforms on prominence and terms, particular smaller broadcasters such as S4C where there is an imbalance in negotiating power.

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. There appear to be inconsistencies in the way different stakeholders have interpreted the draft code. We urge Ofcom to continue to engage with key stakeholders in Wales as consultation responses are considered and final proposals are designed and agreed to ensure clarity on the measures being put in place so that the transition to digital distribution does not weaken the public service broadcasting ecosystem and Welsh content remains visible and discoverable in the digital era.

We would welcome ongoing engagement with Ofcom as this work progresses.