

Prominence and accessibility on connected TV platforms - Draft code of practice and draft guidance on the agreement objectives

YouView Response to Ofcom

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Introduction

As a provider of television selection services that are expected to fall within scope of the regime, YouView welcomes the opportunity to contribute practical implementation perspectives to Ofcom's consultation.

YouView supports the objectives of the Media Act regime in ensuring that public service broadcasting content remains easy for audiences to discover and access as viewing increasingly takes place through connected TV platforms.

In implementing these objectives, it will be important that the regulatory framework remains outcome-focused and technologically neutral, recognising the diversity and rapid evolution of connected TV interfaces. Prominence can be achieved through a variety of interface designs and content rediscovery mechanisms, including personalised recommendations, voice navigation and app-based discovery.

We therefore encourage Ofcom to ensure that the final Code focuses primarily on functional discoverability outcomes rather than prescribing specific UI design approaches. This will allow RTSS providers to continue innovating in interface design and user experience while still achieving the intended prominence objectives.

We also encourage Ofcom to take into account the commercial and technical realities of connected TV platforms, including algorithmic discovery systems, OEM device constraints and existing platform monetisation models. A proportionate and design-neutral approach will best ensure that the regime delivers the intended audience benefits without creating unintended impacts on innovation or platform sustainability.

Question 1

Do you agree with our approach to considering appropriate prominence and our analytical framework?

YouView supports Ofcom's objective of ensuring public service content remains discoverable for audiences on connected TV platforms and we appreciate the effort taken to consider how modern television interfaces operate. We also support Ofcom's evidence-based methodology, including audience research demonstrating that default platform presentation materially affects discoverability. Whilst current UI designs give good insights, we would expect that guidance would be design-neutral and structured around function and outcomes for the user and ask Ofcom to reflect on this. UI designs evolve rapidly and making references to design could limit innovation and creativity. YouView encourages Ofcom to ensure that the final framework remains technologically and design neutral.

However, whilst we recognise the objective of ensuring that designated internet programme services (DIPS) remain discoverable, we consider it important that the regime maintains an appropriate balance between prominence obligations and user-centric relevance. In some cases, the current draft guidance appears to prioritise DIPS prominence over the user's likely

viewing preferences. If prominence requirements reduce the relevance of homepage content, there is a risk that users will bypass the homepage entirely and navigate directly to individual apps via remote control shortcuts or voice navigation. In such circumstances, the prominence regime could inadvertently reduce the effectiveness of platform-level discovery and drive users who want a more user-centric experience to individual apps with their own user-centric UIs.

A more effective approach would be to assess whether DIPS services are functionally easy for users to discover and access, holistically throughout the user interface, allowing RTSS providers flexibility in how that outcome is achieved through evolving interface designs. Overly rigid implementation rules risk constraining innovation in ways that may not be proportionate to incremental audience benefit.

We would also encourage Ofcom to consider that, when determining the most prominent positions within a user interface, prominence should be assessed on an objective, structural basis rather than being driven by patterns of user engagement. For example, where a page contains two content rails, an RTSS provider may objectively determine that the higher rail is the more prominent position within the interface (potentially informed by user research or behavioural data). However, if the second rail subsequently attracts greater user engagement because of the specific content presented there, this should not alter the determination of which rail is structurally more prominent. An objective approach ensures that prominence assessments remain stable and predictable and need only be revisited when the design of the UI changes in a way that might impact structural prominence. By contrast, a system based on relative popularity or engagement risks requiring continual and frequent adjustments to content placement, without justification, which could ultimately create a poorer and less consistent experience for users.

Question 2

Do you agree with our proposals on app menus, and our assessment of their associated impacts?

YouView broadly supports Ofcom's proposal that designated public service apps should be readily discoverable within app menus.

App menus are a key entry point for audiences and ensuring PSB services are easy to find is likely to be effective. However, implementation feasibility varies across:

- device form factors;
- OEM-level UI constraints, and
- differing menu structures (grid-based vs rail-based layouts).

Similar considerations may arise on smaller screens or mobile-connected environments, where the number of visible tiles or icons may differ significantly from traditional TV interfaces.

The consultation would benefit from greater clarity regarding what constitutes an "app menu" in function rather than design.

The consultation places emphasis on both the visibility and the positional ranking of DIPS apps (for example within the top seven or eight positions). However, in practice visibility may be a more meaningful indicator of prominence than absolute position. For example, a tile visible within a second carousel may be more prominent than an off-screen tile within the first carousel that requires user scrolling.

We therefore encourage Ofcom to adopt a design-neutral and outcome-focused approach that ensures DIPS apps appear within the most prominent app-launch areas relative to other apps on the same interface, rather than mandating specific positional thresholds.

Prescribing particular slot positions or tile counts risks regulating the visual structure of interfaces rather than the prominence outcome itself. Connected TV platforms are evolving rapidly and UI structures increasingly differ across devices and manufacturers. A prominence regime that focuses on relative visibility and ease of access would achieve the policy objective while allowing RTSS providers to innovate in interface design and personalisation.

Connected TV interfaces increasingly organise apps through categorised rails (for example “Free apps”, “Subscribed apps”, or personalised app groupings). It would be helpful for Ofcom to clarify how such structures interact with the definition of an app menu, particularly where user personalisation or categorisation is central to the user experience.

In some cases, app positioning may also reflect historic commercial arrangements entered into prior to the introduction of the prominence regime. Ofcom may wish to consider transitional arrangements where platform launch agreements were predicated on specific app placements.

In addition, some RTSS providers currently monetise certain app placements through commercial frameworks with app providers. Mandating specific app positions for DIPS services may therefore reduce the ability of RTSS providers to generate revenue from interface real estate. While Ofcom acknowledges this possibility in the consultation, it is important that the final regime does not unnecessarily constrain legitimate platform monetisation models where the prominence objective can be achieved through alternative interface structures.

If prominence rules are framed around specific UI structures (such as app icons or tile positions), there is also a risk that some platforms may simply redesign their interfaces to avoid those structures altogether, which could ultimately undermine the policy objective.

More broadly, the connected TV ecosystem is supported by a range of commercial arrangements that help fund platform development, device integration and ongoing user interface innovation. Where regulatory requirements restrict how platform interface real estate can be used, this may have wider implications for the sustainability of certain platform models. It is therefore important that the prominence regime remains focused on securing discoverability outcomes while allowing sufficient flexibility for RTSS providers to maintain viable commercial frameworks.

Question 3

Do you agree with our proposals on primary content areas, and our assessment of their associated impacts?

YouView supports the objective of ensuring that public service content remains visible within key content discovery areas. However, we have some concerns regarding how this would be delivered and measured in practice.

Further clarification would be helpful regarding how this would apply to areas which are algorithmically curated, personalised based on user behaviour, include live events, dynamically updated based upon behaviour or are prescriptive such as ‘most popular’. We have concerns regarding how we would measure the degree of prominence in these instances, particularly where the UI is dynamic and evolving. In algorithmically curated environments, prominence may also reflect relevance signals derived from user behaviour. Recommendation systems are designed to surface the content most likely to be relevant to each individual user. Fixed prominence requirements that override these signals could reduce the effectiveness of recommendation systems and therefore reduce the effectiveness of content discovery for audiences. It is therefore important that the Code allows RTSS providers sufficient flexibility to balance prominence objectives with algorithmic relevance and user experience.

The proposed requirement that public service content should receive no less prominence “taken together” across a range of factors (including number of programmes, duration, position, and presentation format) raises significant practical challenges regarding how compliance could be objectively measured. Because prominence is defined across multiple factors (including tile size, position, duration of display and number of programmes), it is unclear how these factors should be weighted or aggregated to determine whether the overall prominence requirement has been met. For example, where public service content occupies a highly prominent promotional position (such as a hero banner) but is less present within subsequent content rows, it is unclear how the different prominence factors should be weighted and evaluated collectively.

It would also be operationally burdensome and technically complex to not only give an overall measure of prominence to a particular IPS, but to then measure that live, in a dynamic UI environment and adjust positions to ensure degrees of relativity between IPS and further, between the DIPS themselves including consideration for regional variations. Measuring relative degrees of prominence across multiple surfaces and time periods would require complex monitoring systems and may introduce additional design constraints.

Effective implementation may also depend on reliable metadata identifying which programmes constitute public service content within DIPS services. Where such metadata is incomplete or inconsistently supplied, RTSS providers may face practical difficulties in identifying the relevant content for prominence purposes.

The consultation suggests that RTSS providers may need to conduct ongoing monitoring and testing to ensure that prominence outcomes are maintained. We note that such monitoring

could create significant operational overhead, particularly where user engagement patterns change over time and affect which areas qualify as “primary content areas”.

As mentioned in response to question 1, we suggest that determining which areas are primary content areas should be objective rather than tied to user engagement - the content or service itself could be a factor in engagement rather than the position alone. Also, if RTSS providers are expected to measure this on an ongoing basis, user engagement measures could follow the content or services rather than the position which would require frequent moving of content and services to the detriment of users who rely on familiarity (e.g. Rail 1 is PSB content, Rail 2 is non-PSB content – rail 2 is more popular due to user choice of content. In this current proposal we would then be obliged to move the PSB content to Rail 2 even though Rail 1 is objectively more prominent)

Whilst we agree with the overarching principle, we feel the recommendation and guidance are too prescriptive and onerous to the detriment of delivering a consistent UI experience for users which meets their needs and expectations.

We therefore suggest that Ofcom considers a more general outcome-based approach that allows RTSS providers reasonable discretion in how prominence is achieved across the UI as a whole, rather than requiring detailed measurement of multiple factors simultaneously and on an ongoing basis. We would also suggest that ‘primary areas’ are determined objectively and only assessed when designs change in a way that could impact prominence.

Question 4

Do you agree with our proposals on search, and our assessment of their associated impacts?

YouView supports Ofcom’s proposal that where public service programmes are the most relevant results, they should be given greater prominence than other results, including sponsored content.

We agree that where public service content is the most relevant search result, it should receive appropriate prominence. Search is a context in which user intent is particularly clear and relevance-based ranking is essential to user trust and satisfaction. Our understanding of the Ofcom guidance is that, within the most relevant results presented to the user, public service content is given prominence equivalent to other content of similar relevance where such content exists.

In practice search results are typically generated through relevance-based algorithms that rank large sets of content. For example, a search for a broad category such as “sport” may return many more results from non-PSB services than from PSBs. Where only a subset of results can be displayed, it may not be feasible to ensure proportional representation of PSB content without overriding relevance signals. Search functionality is fundamentally designed to prioritise relevance. Any requirement that systematically overrides relevance risks reducing the effectiveness of search as a discovery tool and may ultimately undermine user trust in the platform.

We welcome Ofcom's consideration that relevance should remain the overarching principle governing search functionality and in particular, where both public service and non-public service content are included in Search results on the basis of relevance, those results should be ordered in an objective, fair and reasonable manner. In this context we suggest reconsidering the need for additional prominence requirements within search results based on factors such as the number of programmes, their position within the results or any other presentation factors, as these may risk undermining the principle of relevance that underpins effective search functionality for users.

Question 5

Do you agree with our proposals on listed channels, and our assessment of their associated impacts?

YouView supports Ofcom's proposal to exclude regulated EPGs from the scope of these recommendations and appreciate the clarity this provides.

Question 6

Do you agree with our proposals on attribution, and our assessment of their associated impacts?

YouView agrees with Ofcom's proposal that users should be clearly informed when content is presented on an RTSS is public service content and which service provides it. We support the approach that attribution should be based on metadata supplied by the DIPS provider identifying which programmes form part of their public service remit. We recommend that Ofcom ensure attribution requirements remain practical and scalable, including where content is surfaced through aggregated or personalised recommendation environments.

Accessibility Questions (7–13)

YouView strongly supports the accessibility objectives of the regime and agrees that accessibility is a core pillar alongside prominence and we welcome the pragmatic approach taken in focusing on features necessary for users to navigate and operate the RTSS. We note that Ofcom's audience research highlights the importance of features such as:

- voice guidance/text-to-speech;
- magnification; and
- high contrast modes.

The proposals on alternatives to visual information, text enlargement, distinguishable text, accessibility information, content labelling and enabling access services appear proportionate and aligned with recognised accessibility standards. We note that implementation may require significant development work and would welcome clarity regarding the scope of responsibility between RTSS providers and content providers once users enter IPS.

Question 13

Do you have any views or evidence on other actions relating to accessibility?

YouView encourages Ofcom to consider:

- consistency of accessibility implementation across device generations;
- where multiple versions of programmes exist within an IPS with different accessibility features attributed to each (e.g. a sign language version of a popular programme);
- the importance of user customisation (including memorised layouts); and
- ongoing engagement with disability groups to ensure measures remain effective as platforms evolve.

We would welcome further dialogue with Ofcom on accessibility testing approaches and compliance evidence.

Question 14

Do you agree with our proposed draft Guidance, and our assessment of its associated impacts?

YouView welcomes Ofcom's draft Guidance on Agreement Objectives and its intention to provide clarity for negotiations between RTSS and DIPS providers.

We recognise Ofcom's position that payments should not generally be required for terms reasonably necessary to meet the MOMI and prominence duties.

We agree that statutory compliance obligations should not be monetised in a way that undermines the regime. However, it is important that the final Guidance clearly distinguishes between:

- "core terms" required for inclusion and Code compliance; and
- "additional terms" representing genuinely optional, value-added commercial arrangements.

Further worked examples would help reduce uncertainty and support efficient negotiation.

Question 15

Do you agree with the assessment of the combined impact of our proposals as a package?

YouView agrees that the combined package of prominence and accessibility measures is likely to deliver distinct audience benefits.

However, we note that cumulative impacts may be significant for some RTSS providers, particularly where:

- algorithmic systems require adjustment;
- OEM release cycles constrain implementation speed; and

- existing revenue models based on the monetisation of interface real estate may be materially affected, particularly where platform development and device ecosystems rely on such revenues.

Whilst each proposal may appear proportionate when considered individually, the cumulative impact of the proposals may be significant when applied together. In particular, the combination of app-menu requirements, primary content area obligations, monitoring expectations and algorithmic adjustments may require substantial redesign of RTSS interfaces and recommendation systems.

We encourage Ofcom to continue assessing proportionality at the package level, particularly for smaller UK-based platforms.

Question 16

Do you agree that 12 months is a reasonable period for all providers to bring themselves into compliance?

YouView considers that a transition period is essential and broadly supports Ofcom's proposal of 12 months as a baseline. However where guidance is finalised partway through a financial cycle, immediate implementation may create significant resourcing constraints. We therefore suggest that Ofcom consider a more flexible implementation window - for example up to 18 months - to allow providers to incorporate required changes within their normal development and budgeting cycles.

Additionally, we note that implementation will often require:

- significant UI engineering work;
- contractual renegotiation with designated services; and
- dependencies on OEM firmware and deployment schedules.

Accordingly, Ofcom should retain flexibility where compliance timelines are affected by factors outside the direct control of RTSS providers.