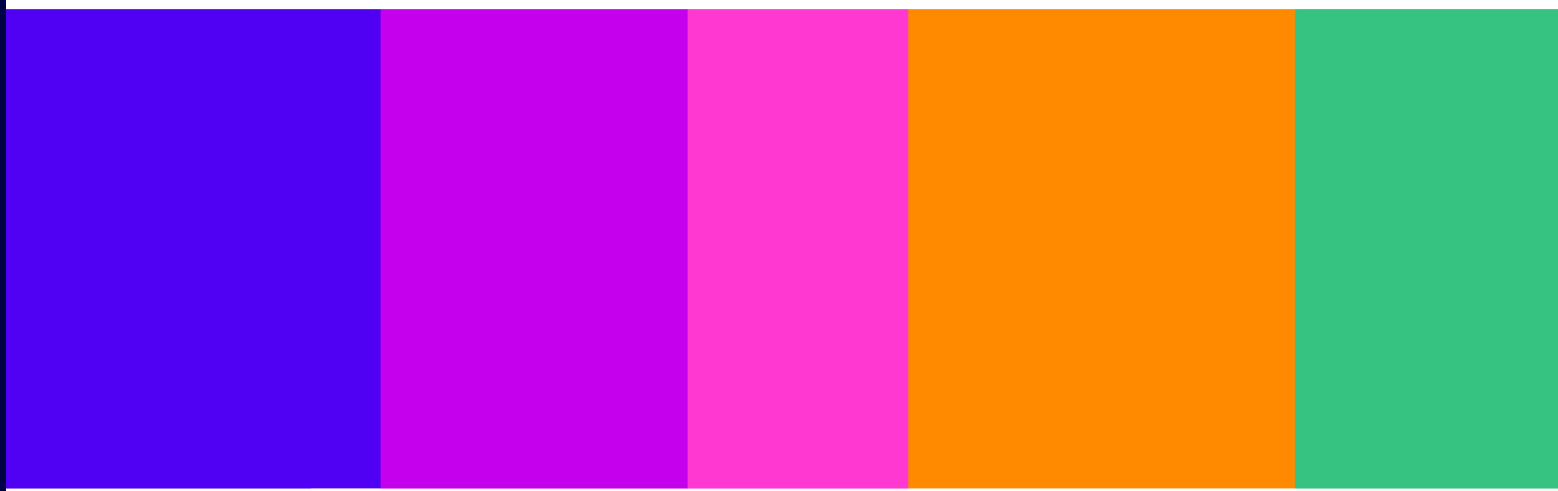


Ofcom's [Draft] Tier 1 Accessibility Code

Last updated: 14 May 2026

Draft for consultation



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1. Introduction

- 1.1 This Tier 1 Accessibility Code sets out the requirements on Tier 1 Service providers for ensuring that their services are accessible to disabled people, including, in particular, people with disabilities affecting their sight or hearing, or both.
- 1.2 This Code also provides guidance on the extent to which Tier 1 Services should promote the understanding and enjoyment by disabled people (in particular people with disabilities affecting their sight and/or hearing) of the programmes included in their services, and the means by which such understanding and enjoyment should be promoted. The Code also incorporates Ofcom's [Guidelines on Providing Television and On-Demand Access Services](#).
- 1.3 This Code applies regardless of the means of delivery to every Tier 1 Service.¹ It also applies to the BBC's UK Public On Demand Programme Services² which provide television-like programmes (including iPlayer), regardless of the means of delivery.
- 1.4 Ofcom encourages all providers of notified On Demand Programme Services ("ODPS"), including Tier 1 Service providers and the BBC, to develop accessibility action plans with a view to continuously and progressively making their ODPS more accessible to disabled people.³ A copy of any such action plan must be provided to Ofcom.⁴ Providers should also continue to have regard to Ofcom's [Guidelines on Providing Television and On-Demand Access Services](#).

¹ An up-to-date list of notified Tier 1 Services is available on Ofcom's website.

² Defined in Article 75 of the BBC Agreement

³ Section 368C (2) of the Act

⁴ Section 368D (3)(zza) of the Act

2. Legal Background

- 2.1 The Media Act 2024 ("the Media Act") introduced significant changes to the regulation of video on-demand services under Part 4A of the Communications Act 2003 ("the Act") by establishing an enhanced regulatory regime for a new 'Tier 1' category of ODPS ("Tier 1 Services").⁵
- 2.2 Section 368HL of the Act requires Ofcom to draw up a code imposing requirements on Tier 1 Service providers to ensure their services are accessible to people with disabilities, including, in particular, people with disabilities affecting their sight or hearing, or both. The code requirements must include:
- a. A requirement that Tier 1 Service providers report annually to Ofcom about the accessibility of Tier 1 Services to disabled people, and steps taken to secure the quality and usability of the means by which those services are made accessible.
 - b. Minimum quotas for provision of subtitles, audio description and signing on Tier 1 Services from the second and fourth anniversaries of the 'relevant date'.
 - c. A description of any programmes that are excluded from the minimum quota requirements.
 - d. A requirement that Tier 1 Service providers ensure adequate information about the assistance for disabled people that is provided in relation to their Tier 1 Services is made available to those likely to want to make use of it.
- 2.3 The Code requirements may also include:
- a. Provision for Tier 1 Services (wholly or partially) to be exempt from the minimum quota requirements, on specified grounds such as audience benefit, technical difficulty or cost;
 - b. Provision for partial exemptions to apply only to certain ways in which a Tier 1 service is made available to the public;
 - c. Requirements as to lesser levels of assistance that apply before the dates at 2.2 (b);
 - d. Requirements as to the provision of assistance for disabled people, or a description of disabled people⁶, where a Tier 1 Service is wholly or partially exempted from the minimum quota requirements (referred to in this Code as "alternative requirements").
- 2.4 The Code must also give guidance as to the extent to which Tier 1 Services should promote the understanding and enjoyment of programmes by disabled people, and the means by which such understanding and enjoyment should be promoted.⁷

⁵ Defined in section 368HA of the Act as an ODPS that is being used by a public service broadcaster, other than the BBC, to fulfil its public service remit and an ODPS, or a non-UK ODPS that is Tier 1 by virtue of the [On-demand Programme Services \(Tier 1 Services\) Regulations 2026](#), under which an ODPS or a non-UK ODPS is Tier 1 if it has over 500,000 average monthly UK users. The BBC is specifically excluded from the definition of Tier 1 but see paragraphs 2.8 to 2.10 in relation to the application of this Code to the relevant BBC UK Public On Demand Services.

⁶ For example people with a particular disability

⁷ Section 368HL(1) of the Act

- 2.5 Ofcom is required to review and revise the Code and guidance from time to time, and when it does, it should consult with relevant parties and have regard to the need to make the Code accessible to disabled people.⁸
- 2.6 Tier 1 Service providers are required to comply with the Tier 1 Accessibility Code.⁹
- 2.7 The Tier 1 Accessibility Code applies to Tier 1 Services only so far as they are made available to members of the public in the United Kingdom.¹⁰

Legal Background for the BBC

- 2.8 The BBC Agreement requires the BBC to observe a code giving guidance as to the extent to which its UK Public Services should promote the understanding and enjoyment of programmes by people with disabilities affecting their sight or hearing, or both, and the means by which such understanding and enjoyment should be promoted.¹¹ This Code includes relevant guidance in relation to programmes included in the BBC's UK Public On Demand Programme Services¹² which provide television-like programmes (including iPlayer) which must be observed by the BBC.
- 2.9 Under the BBC Agreement, the code which must be observed by the BBC must also secure that adequate information is provided to those who need access services, as described in relation to other Tier 1 Services in Section 5 (Promoting Awareness).
- 2.10 Throughout this Code, where we refer to requirements in relation to Tier 1 Services or Tier 1 Service providers, these and any guidance included in this Code should be read in the context of the relevant BBC UK Public ODPS (as referenced above) as applying in accordance with paragraph 9 of Schedule 3 to the BBC Agreement.

⁸ Section 368HO of the Act

⁹ Section 368HP of the Act

¹⁰ Section 368HR of the Act

¹¹ [BBC Agreement](#), paragraph 9, Schedule 3

¹² Defined in Article 75 of the BBC Agreement

3. Definitions and terminology

The Act refers to ‘people with disabilities’ but unless directly referring to legislation this Code uses the term ‘disabled people’¹³

In this Code:

‘Audio description’ is an additional audio commentary that describes what is happening on screen, primarily for people with sight loss and blind people.

British Sign Language (“BSL”) is the most commonly used sign language in the United Kingdom and is a distinct language with different syntax and vocabulary from English.¹⁴

‘Delivery platform’ means the interface via which users access the Tier 1 Service.

The ‘relevant date’ is the later of the day on which a service became a Tier 1 Service and the day on which the first Tier 1 Accessibility Code was published.

‘Relevant’ BBC UK Public ODPS are those that provide television-like programmes (including iPlayer).

‘Signing’ is when programmes are translated into or presented in sign-language (see ‘sign-interpretation’ and ‘sign-presentation’). Sign-language comprises the use of manual gestures, facial expression and body language to convey meaning.

‘Sign-interpretation’ is when a programme is originally produced without signing and a signer is superimposed onto the programme, usually in the corner of the screen.

‘Sign-presentation’ is when a programme is presented in sign-language.

‘Subtitling’ refers to 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 d/Deaf people.

¹³ This reflects the “social model” of disability.

¹⁴ The 2022 British Sign Language Act recognises BSL as a language of England, Wales and Scotland. Both BSL and Irish Sign Language (ISL) are commonly used in Northern Ireland

4. Quotas

- 4.1 This section sets out the statutory minimum quotas for Tier 1 Services, along with interim quotas set by Ofcom. Providers should also see Exemptions and Alternative Requirements for guidance on services which are exempt from the full quotas set out here.
- 4.2 The Act sets out quotas for subtitling, audio description and signing for each twelve-month period beginning with the second and fourth anniversaries of “the relevant date”.¹⁵ For most services, the relevant date will be the date of publication of this Code.¹⁶
- 4.3 The Act allows Ofcom to set interim quotas for the twelve-month periods beginning with the first and third anniversaries of the relevant date.¹⁷
- 4.4 In accordance with the BBC Agreement, this Code also sets out quotas for the BBC’s UK Public On Demand Programme Services offering television-like programmes (including iPlayer).
- 4.5 The statutory and interim quotas are detailed in Table 1 below.

Table 1: Access services quotas (as a % programme hours) for Tier 1 Services that are not wholly or partially exempt

| Anniversary of relevant date (quotas apply to 12-month period from this anniversary) | Subtitling | Audio Description | Signing (sign-interpretation and/or sign-presentation) |
|--|---|-------------------|--|
| First (interim quotas) | 20% | 2.5% | 1% |
| Second (statutory quotas) | 40% | 5% | 2.5% |
| Third (interim quotas) | 60% | 7.5% | 3.5% |
| Fourth onwards (statutory quotas) | 80% Relevant BBC UK Public ODPS: 90% | 10% | 5% |

¹⁵ The applicable quotas are set out in sections 368HL(4) and (5) of the Act.

¹⁶ Section 368HM defines “the relevant date” in relation to every Tier 1 Service as the later of the day on which a service became a Tier 1 Service, and the day on which the first code under [section 368HL](#) is published.

¹⁷ Section 368HL(11)(a) of the Act

- 4.6 The quotas are to be interpreted as percentages of the combined duration (in terms of programme hours) of unique programmes available on that service within the given period, excluding advertisements.¹⁸
- 4.7 There are no programmes excluded from the minimum quota requirements.¹⁹
- 4.8 The quotas apply to the content of Tier 1 Services regardless of the means of delivery. This means the quotas should be met by the service on each delivery platform where it is available, and should not be calculated as an average across all delivery platforms. The quotas represent minimum obligations and each set of quotas applies in full from the applicable anniversary of the ‘relevant date’.²⁰

Quality standards

- 4.9 While Ofcom is open to the use of different technologies to provide access services, Tier 1 Service providers need to ensure that their access services are of sufficiently high quality.
- 4.10 When assessing compliance with this Code, Ofcom will consider whether access services are of a sufficiently high quality on a case-by-case basis, taking account of various factors to assess this, including:
- For subtitles: accuracy, synchronicity, readability, presentation style and description of non-speech information. Ofcom will also consider whether the programming is live or pre-recorded.
 - For audio description: accuracy, comprehensibility and audibility.
 - For signing: accuracy, synchronicity and visibility.
- 4.11 Ofcom encourages Tier 1 Services to also have regard to our best practice [Guidelines on Providing Television and On-Demand Access Services](#) which provide further guidance on how they can promote the understanding and enjoyment of their programmes by disabled people. We encourage Tier 1 Services to prioritise the provision of access services for new and popular content across a wide range of programmes and content with particular appeal to disabled audiences, rather than seeking to fulfil the quota obligations with programming that remains on a service year-on-year.

¹⁸ Under section 368HL (16) of the Act, ‘programme’ excludes advertisements.

¹⁹ Section 368HL(7) of the Act requires this Code to set out descriptions of any programmes that are excluded from the minimum quota requirements

²⁰ See footnote 16

5. Exemptions and alternative requirements

Exemptions

- 5.1 Tier 1 Services are subject to the quota requirements outlined in Section 3, unless exempted by Ofcom.
- 5.2 Under the Act²¹, Ofcom may make provision in the Code for Tier 1 Services to be wholly or partially exempted from some or all of the statutory quotas in Table 1 above. In determining whether all or part of a Tier 1 Service should be wholly or partially exempted from the statutory quotas in Table 1 above. Ofcom must have regard, in particular, to:
- a) the extent of the benefit which would be conferred if the provider of the service were to comply with the quota requirements;
 - b) the size of the audience for the service;
 - c) the number of people who would be likely to benefit from compliance with the quota requirements and the extent of the likely benefit for those persons;
 - d) the extent to which people accessing the service are resident in places outside the United Kingdom;
 - e) the technical difficulty of complying with the quota requirements; and
 - f) the cost, in the context of the matters mentioned in paragraphs (a) to (e), of complying with the quota requirements.
- 5.3 Ofcom may make provision in the Code for partial exemptions to apply in relation to a particular method by which a service is made available to members of the public²² (for example via a particular delivery platform).
- 5.4 Annex 1 sets out the process Tier 1 Service providers should follow if they believe their service qualifies for an exemption. We set out below guidance on how Ofcom will have regard to the criteria in para 4.2 in considering whether a service should be wholly or partially exempted from some or all of the statutory quotas. Ofcom will apply the same guidance, as applicable, relating to the relevant BBC UK Public On-Demand Programme Service(s).
- 5.5 Where all or part of a service is exempted from the statutory quotas, Ofcom can impose alternative requirements, and in doing so will again have regard to the factors set out above at 4.2 (see 'Alternative Requirements' below).

Audience benefit

- 5.6 A Tier 1 Service is an ODPS or a non-UK ODPS that has more than 500,000 average monthly UK users or is an ODPS used by a public service broadcaster other than the

²¹ Section 368HL(8) of the Act

²² Section 36HL(9) of the Act

BBC²³ to contribute to the fulfilment of its public service remit.²⁴ Therefore, compliance with the quota requirements is likely to confer significant audience benefits. However, in exceptional cases Ofcom would consider whether, taking cost into account, an exemption may be justified in relation to lower audience benefit on a specific delivery platform (see 'Cost' section below).

Technical difficulty

- 5.7 Tier 1 Services will not have to comply with the full quota requirements if Ofcom is satisfied that this would be impracticable on grounds of technical difficulty (in relation to part or all of the service, or to some or all of the requirements).
- 5.8 This may include technical difficulties related to the delivery platform (which may apply to the provision of a particular access service across the whole service on that platform) or technical difficulties in relation to providing access services for a particular type of programming (which may apply to a part of the service as consists of those programmes). This may be the case, for example, where a catalogue includes a large proportion of programmes in which the audio track does not allow for the addition of audio description (e.g. some music or sports programmes).

Cost

- 5.9 Tier 1 Service providers may be granted an exemption from the quota requirements if they are able to demonstrate in relation to the service that compliance would result in disproportionate costs relative to the other factors outlined at section 4.2. A service may be wholly or partly exempted from some or all of the requirements, and these exemptions may apply to the service as available on a particular delivery platform.
- 5.10 In deciding whether to grant an exemption on these grounds, Ofcom will take into account factors including – but not limited to – the following:
- a) Likely costs of fulfilling the quota requirements, including service and platform-specific costs;
 - b) Provider turnover (both overall turnover of the provider and that attributable specifically to provision of the Tier 1 Service);
 - c) Content spend;
 - d) Size of audience for the service overall and on a given platform;
 - e) Value/ benefit of the service (including on a given platform) to disabled audiences likely to want to make use of it;
 - f) Whether compliance would be likely to result in adverse consequences for disabled audiences, such as reduced investment, withdrawal of content, or effects on competition or consumer choice.
- 5.11 Ofcom is more likely to consider requests for exemptions on these grounds where the provider of the relevant Tier 1 Service has a turnover of less than £250 million. Costs are

²³ As set out at 2.8 to 2.10 this Code also applies to the relevant BBC UK Public On Demand Programme Services under the BBC Framework Agreement.

²⁴ [The On-demand Programme Services \(Tier 1 Services\) Regulations 2026](#)

less likely to be deemed disproportionate for providers with a higher turnover²⁵, except in circumstances where the audience benefit in fulfilling the requirements is very low.

Alternative requirements

- 5.12 Service providers who are requesting or who have had an exemption applied for all or part of a service in relation to some or all of the requirements, may propose alternative arrangements having regard to the factors outlined at 4.2.
- 5.13 If Ofcom determines that it is appropriate to apply an exemption Ofcom will then consider whether to impose alternative requirements (including any proposed by the Tier 1 Service provider), having regard to the same factors as apply in considering whether it is appropriate to exempt a service or part of a service from the statutory quotas (for example, audience benefit).
- 5.14 Where Ofcom applies a partial exemption, it will seek where appropriate to devise alternative requirements in dialogue with Tier 1 Service providers.
- 5.15 If Ofcom has applied an exemption following a request based on the likely costs of fulfilling the quota requirements relative to other factors (as above), such as audience benefit, Ofcom will consider whether to impose alternative requirements. In doing so, Ofcom will wish to be satisfied that any such requirements would maximise the benefit to disabled audiences likely to want to make use of access services while ensuring that compliance costs are proportionate in the context of the other factors at 4.2.

²⁵ Ofcom's estimates suggest that for Tier 1 Service providers with a higher turnover, compliance costs are likely to represent significantly less than 1% of provider turnover.

6. Promoting awareness

- 6.1 Tier 1 Service providers are required to ensure that disabled people are given adequate information about the assistance that is made available to them. This includes promoting awareness of the availability of access services to potential users of the services (in particular, people with disabilities affecting their sight or hearing, or both).
- 6.2 Tier 1 Service providers must clearly set out which programmes are accompanied by access services, for example by using the standard upper-case acronyms for subtitling (S), audio description (AD) and signing (SL). This information should be provided via the Tier 1 provider's own delivery platforms (such as their own websites or apps) and should be accessible to disabled users. Tier 1 Service providers should also make available accurate and timely information to third-party providers of platforms through which the Tier 1 Service is available to users. Ofcom has imposed corresponding obligations on regulated Television Selection Services to ensure that where such information is provided, it is made available to users.
- 6.3 Tier 1 Service providers must also take effective steps to publicise awareness of their access services and how to use them through other means, including marketing and engagement aimed at people likely to benefit from access services.
- 6.4 Where unforeseen circumstances mean that access services are unavailable temporarily or for an extended period, Tier 1 Service providers must take steps to ensure that updated information is provided directly to users and/or to third-party platforms and that users are given timely and accurate information about what services remain available and or when they will be restored by appropriate, accessible and effective means including written/online communications, and using signing where appropriate for the affected audience.²⁶

²⁶ For guidance on effectively promoting awareness of access services and communicating with audiences in the event of interruptions to provision, see [Ofcom's Guidelines on Providing Television and On-Demand Access Services](#).

7. Reporting

- 7.1 The Act requires Tier 1 Service providers to report to Ofcom annually on the accessibility of their services and the steps taken to secure the quality and usability of the means by which their services are made accessible to disabled people.²⁷
- 7.2 To demonstrate accessibility and compliance with the statutory quotas and/or any alternative requirements imposed, Tier 1 Service providers must report to Ofcom annually on the following as applicable:
- a) The number of unique programme hours made available with subtitles, audio description and signing (specifying the amount of sign interpretation/ presentation) by platform during the relevant reporting period;
 - b) The total number of unique programme hours made available by platform during that same period.
- 7.3 Providers of Tier 1 Services must report to Ofcom annually on the steps taken to secure the quality of their access services (whether provided under the statutory quotas or under an alternative requirement). Reports should address factors such as:
- a) For subtitles: accuracy, synchronicity, readability, presentation style and description of non-speech information
 - b) For audio description: accuracy, comprehensibility and audibility
 - c) For signing: accuracy, synchronicity and visibility
- 7.4 Tier 1 Service providers must also report to Ofcom annually on the usability of their access services (whether provided under the statutory quotas or under an alternative requirement) to the extent to which the usability of those access services is under their control.²⁸ Reports should include information on:
- a) Whether the availability of access services is signposted on individual programmes, so that audiences can easily identify when subtitles, audio description or signing are available;
 - b) Whether the service allows audiences to search, filter or browse content according to the type of access service available;
 - c) Whether the provider maintains a dedicated and accessible page explaining the availability of access services, and any accessibility related tools.
- 7.5 While reporting on the steps taken to secure the quality and usability of access services, including in relation to any alternative requirements, we would expect providers to refer to factors such as:
- a) Where a third party is engaged to create access services, whether to fulfil the statutory quotas or under an alternative requirement, the processes in place to monitor and assess the quality of those services;
 - b) Any complaints received concerning the quality or usability of access services, and the measures taken to address them;
 - c) Any user research undertaken to inform the provision or design of access services;

²⁷ Section 368HL(2) of the Act

²⁸ We acknowledge that where Tier 1 services are delivered via third party platforms, the usability of access services may depend in part on the providers of those platforms.

- d) Any audience feedback considered in the provision of access services;
- e) Any popular content that was made available with access services during the reporting year.

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A1. Process for requesting an exemption and proposing alternative arrangements

- A1.1 This Annex explains the process for requesting an exemption from the statutory quotas and for proposing alternative arrangements.
- A1.2 Tier 1 Service providers are not obliged to propose alternative arrangements, nor is Ofcom required to accept any proposal as a substitute for meeting the quota requirements.

Applying for exemptions

- A1.3 Tier 1 Service providers wishing to request an exemption to all or part of the quota requirements outlined in Section 3 should apply to Ofcom by 30 April in the year before they wish an exemption to take effect.
- A1.4 Such a request should specify:
- The Tier 1 Service(s) for which the exemption is being sought;
 - The grounds on which the exemption is being sought (see the 'Exemptions' section);
 - Evidence to support the application having regard to the relevant factors outlined at 4.2 and 4.10.
- A1.5 Ofcom will inform the provider if additional information or evidence is required and will otherwise aim to decide whether or not to grant an exemption by 31 July.
- A1.6 Ofcom may consider requests for exemptions outside this timeframe, but they must be made at least 8 months before the date from which the exemption would take effect. Ofcom would then aim to decide whether or not to agree to the exemption at least 5 months before the date from which the exemption would be intended take effect.
- A1.7 Where a request for an exemption has been accepted by Ofcom, and a provider wishes for the exemption to remain in place, the provider must provide confirmation to Ofcom on an annual basis that the grounds on which the exemption was accepted remain the same. Where a request for an exemption has been accepted on the grounds of cost, this would include providing updated cost information (see 4.9 to 4.11). Such confirmation should be provided to the same timescale as the original request for an exemption.

Alternative arrangements

- A1.8 Where Ofcom has accepted a request for an exemption from the quota requirements, it may impose alternative requirements such as reduced quotas (see 5.12 to 5.15).
- A1.9 Tier 1 Service providers may also, when requesting an exemption, propose specific alternative arrangements, referring to the factors listed at 4.2.

- A1.10 Proposals for alternative arrangements should be submitted and will be considered by Ofcom to the same timescale as exemptions applications as outlined above.
- A1.11 Where alternative arrangements are approved by Ofcom and imposed as alternative requirements, Tier 1 Service providers should include such requirements in their reporting on the accessibility of their services and the quality and usability of the means by which their services are made accessible. If the provider wishes for these alternative arrangements to remain in place, they should on an annual basis confirm to Ofcom whether the grounds on which those arrangements were approved remain the same. Such confirmation should be provided to the same timescale as the original proposal and may refer to information provided in annual reporting on the effectiveness of the arrangement (see Reporting section). Outside of these timeframes, Ofcom may periodically review any alternative requirements in place.
- A1.12 Where there are significant changes in relation to the grounds on which alternative arrangements were originally approved, we expect Tier 1 Service providers to inform us as soon as practicable.