

Your response

Question	Your response
<p>Question 1: Do you have any comments on our proposed approach to making these changes?</p>	<p><i>Is this response confidential? – N</i></p> <ul style="list-style-type: none"> + Terminology needs to be addressed and consistent throughout the document. It should be 'deaf/hard of hearing people' rather than 'people with hearing loss' (as some have never had hearing in the first place to 'lose'). + We agree the 'one size fits all' approach does not work and that the guidelines needs to be reviewed and updated regularly in consultation with a working group. + Key outcomes approach rather than specific means by which the outcomes are achieved is the right approach in our opinion. + We agreed that the guidelines should be extended to providers of VoD services – can we ensure this also covers IPTV (Internet Protocol Television). + Working group that meets biannually to include BSLBT if possible. A percentage of the group (ideally a quarter) should be fluent BSL signers (in keeping with the 'nothing about us without us' principle) + Guidelines to be accessible in plain English but also British Sign Language (this is to include the TV Access Services Code). + We would like more detail on how you would incentivise broadcasters and VoD providers to develop and report back on their accessibility plans (noted that it is their legal duty to report to Ofcom but specifically how will you ensure that they are not doing the bare minimum?). + Target audience for accessible programming should include parents with deaf children, babies and toddlers as they will need to be able to engage with their children and develop their own fluency in BSL to ensure their child has the solid foundations to acquire a language.
<p>Question 2: Do you have any comments on our proposed additions to the TV Access Services Code?</p>	<p><i>Is this response confidential? – N</i></p> <ul style="list-style-type: none"> + We are pleased to see that 'hearing impaired', a derogatory term, has been changed to 'deaf'/'hard of hearing' but needs to be

	<p>consistent throughout the guidelines and do not use 'hearing loss'.</p> <p>+ 3.1 in 'TV Access Services Code'- should there be some form of addition to section C to reflect the BSL Act (England) that was passed in Parliament in 2022, thereby recognising BSL as a language with a legal status? 'Gestures' to be changed to 'language' perhaps?</p> <p>+ Section 4.7- How will signing be vetted for accuracy and synchronicity? i.e. subtitles are vetted via NER.</p> <p>+ Section 5.7- why is this a clause under 'signing' but not under 'subtitles' or 'audio description'? This will present more opportunities for 'exclusion'.</p> <p>+ Section 6.3- we are pleased to see this included in light of the Channel 4 subtitles incident. We wonder if the 'communications' should also include BSL?</p> <p>+ VOD providers should be required to indicate which programs are subtitled or searchable, using subtitles icons or other filters.</p> <p>+ Could there be most robust guidelines to ensure that broadcasters comply with the 5% BSL access limit. This limit should be seen as a minimum and that broadcasters should be going beyond this as deaf people do not have any linguistic fallback option if there are no BSL accessible programs unlike viewers of S4C and BBC Alba, every single of them having a good level of fluency in another language, English.</p>
<p>Question 3: Do you have any comments on any of the following proposed changes/additions? Please provide any additional evidence you think we should take into account.</p> <ul style="list-style-type: none"> • Understanding audiences • Developing strategies • Programme selection and scheduling • National emergencies and important on-screen information • Promoting awareness • Accessibility and diversity in production • Training • Monitoring of quality 	<p><i>Is this response confidential? – N</i></p> <p>+ 'Understanding audiences'- Customisation of subtitles is something that we would encourage as VoD providers offer this and it is popular amongst the deaf community.</p> <p>+ 'Developing Strategies'- under 4.13 Should it be 'particularly of audio description and sign <i>interpreted and presented</i> programmes' to reflect the findings in the survey. Additionally, under this section, we are pleased to see that access files will be encouraged as part of acquisition but there might need to be a note that sign language is not universal so if there is the purchase of a programme with sign language from another country, a translation to BSL will need to be considered.</p> <p>+ 4.19- whilst it is clarified elsewhere in the guidelines that Makaton is not to be confused</p>

with BSL and that it is purely a communication tool whilst BSL is a recognised language, it might be worth noting it in this section too for additional clarity.

+ 4.23/4.24- we would be interested to see how 'moments of national importance' will be defined. How will broadcasters/providers communicate with the deaf community as part of the consultation to define 'national importance'? This will need careful consideration.

+ 4.26- we would like to ensure that when providers make it clear when access services will be added, this information should be accessible i.e. with a BSL translation.

+ 4.29- we are pleased to read that national emergency announcements will be signed as well as spoken and subtitled.

+ 'Promoting Awareness'- 4.32 and 4.33 should there be a line about this information/communication being accessible to all i.e. signed?

+ 'Accessibility and Diversity in Productions'- not only will a collaboration between content makers and access specialists early on will help with considering/tackling access issues earlier on (rather than it being an afterthought) but consideration should be given to diversity within the production teams and talent too so that onscreen content is accessible (i.e. signing producers, directors, contributors/presenters) as well as the access features being present. Providers should be encouraged to do this as well as bringing in access experts.

+ 'Quality Assessment'- whilst subtitles have the NER model as a quantitative tool, how would sign-interpreted programmes be assessed as currently there are no official quantitative model to our knowledge. There will need to be a robust model to avoid un-PC signs, mistranslations and so forth.

+ Gathering feedback from the deaf community is notoriously difficult. You have acknowledged this in 4.45/4.46 but perhaps providers/broadcasters should be encouraged to speak to fluent BSL experts/advisers about the best routes to proactively seek feedback from the deaf community.

Question 4: Do you have any views on how developments in technology may inform the production of access services in the coming years?

Is this response confidential? – N

+ There is advancing research into AI and sign language- particularly with companies such as Robotica and Signapse. Currently these advancements are in early stages and primarily used for areas such as public transport.

+ BSLBT does not have a stance/view on AI as it is still very early days but will be keeping a close eye on the development as this could be an option for the future i.e. translating the news or public announcements or communication. It should, however, be noted that current AI sign language is not on par with sign language used by real people i.e AI signs doesn't quite capture multichannel signs and non-manual features (lip patterns and facial expressions are an important part of sign language).

+ Ofcom should work with BSL led organisations and individual BSL experts to monitor and give feedback on the development of AI generated BSL interpreters/presenters. This should ensure that these technologies are developed in a way that is culturally appropriate, accessible and acceptable to the BSL community.

+ We have been asked in the past by global companies how they can measure what percentage of their content is in sign language. Currently there is the technology that can pick up spoken language/subtitles and works out the percentage of which language is used but sign language cannot be picked up as it is visual (just because one character uses sign language, the film cannot be classified as 100% sign language) so there is still more work to be done in the realms of sign language and technology.

Question 5: What do you think about the proposed list of external sources/ guidelines in Annex 3? Are there any additional sources which Ofcom should refer to?

Is this response confidential? – N

Have no additions/other sources to suggest. We believe it is a comprehensive and useful list. We would suggest adding Creative Diversity Network as another external source for the list.

<p>Question 6: Do you have any comments on the following suggested changes relating to subtitling? Please provide any additional evidence that you think we should take into account.</p> <ul style="list-style-type: none"> • Subtitling speeds • Live programming • Subtitling presentation • Sound and music descriptions • Language of subtitling 	<p><i>Is this response confidential? – Y / N (delete as appropriate)</i></p> <p>+ We agree that subtitle speed should match the speed of speech and should be verbatim (sans fillers such as ‘erms’, ‘errs’). This means that those with a hearing loss have equal access.</p> <p>+ 5.6- current guidelines state that heavily edited subtitles are suitable for children but, as you go on to say, verbatim subtitles support children’s literacy rates so we wonder if the guidelines should be reviewed with this in mind.</p> <p>+ We welcome the suggested change in guidelines that there should be principles to follow rather than specifications for subtitles to reflect the change in technology to allow for customisation of subtitles- following the principle that ‘one size’ doesn’t fit all. It means that subtitles can be more creative and integrated, which is something we welcome.</p> <p>+ We welcome the proposed change in guidelines that subtitles should reflect specific sound effects- this is what VoD providers do and it is very useful for those with a hearing loss.</p>
<p>Question 7: Do you have any comments about the other proposed changes to the subtitling guidelines, as summarised in Table 1 (Annex 1)?</p>	<p><i>Is this response confidential? – Y / N (delete as appropriate)</i></p> <p>+ Synchronicity- guidelines will change to- should bear in mind the intended audiences and that some people have lower reading speeds (i.e. some children, Deaf people and people with cognitive impairments). We would be interested to know how a broadcaster can achieve this without compromising the ‘subtitles should be verbatim’ guidelines to ensure there’s equal access.</p>
<p>Question 8: Is there anything additional that you think should be added to the revised guidelines on subtitling?</p>	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

<p>Question 9: Do you have any comments on the following suggested changes relating to audio description? Please provide any additional evidence that you think we should take into account.</p> <ul style="list-style-type: none"> • Approaches to/ styles of audio description • Describing visual features • Describing information about diversity characteristics • Additional audio accessibility features 	<p><i>Is this response confidential?- N</i></p> <p>N/A</p>
<p>Question 10: Do you have any comments about the other proposed changes to the audio description guidelines, as summarised in Table 2 (Annex 1)?</p>	<p><i>Is this response confidential?- N</i></p> <p>N/A</p>
<p>Question 11: Is there anything additional that you think should be added to the revised guidelines on audio description?</p>	<p><i>Is this response confidential?- N</i></p> <p>N/A</p>
<p>Question 12: Do you have any comments on the following suggested changes relating to signing?</p> <ul style="list-style-type: none"> • Meeting the signing requirements • Selection/ scheduling of signed programmes • Use and preferences for different types of signed programmes among d/Deaf children • Ensuring the quality of sign-interpretation • Size of sign interpreter image 	<p>Is this response confidential? – N</p> <p>+ We welcome the proposed change that BSL should be the default language to meet signing targets. We wonder if there should be more detail about the BSL Act mentioned in the guidelines rather than as a reference (see ref. 66). This will help to clear any confusion.</p> <p>+ We look forward to the outcome of the qualitative research into preferences for signing across genres.</p> <p>+ 7.8- we have reservations about how providers will consult their audiences as the signing community are difficult to reach out to. Should there be some form of advisory group set up for this?</p> <p>+ 7.9- We agree that this guideline should be retained. Programmes such as ‘Magic Hands’ on CBeebies (that uses BSL) have had high viewing figures and focus groups/feedback have shown</p>

that both deaf and hearing children enjoy and engage with programmes in BSL. Deaf children feel represented and have access whilst their hearing siblings/peers enjoy learning sign language. It should be noted that there may be a BSL GCSE introduced- hence the benefits of having sign presented programmes for children.

+ 7.10- could this be more specific/robust as the wording is vague enough for broadcasters/providers to continue to broadcast BSL content in the early hours of the morning, which is, understandably, not popular amongst the BSL community.

+ 7.11- we are pleased to read this proposed change. Deaf, BSL users want to see themselves represented. We want to see characters, presenters, contributors who happen to be deaf and use BSL.

+ 7.12- We commission sign-presented programmes and we are continuing with the push to improve the quality of our programmes. As there is such a small talent pool of programme makers, it is tricky and this is why we welcome Ofcom's proposed guideline under 'Accessibility and Diversity in Productions' section. We have noticed that the quality of sign-presented programmes without deaf involvement at the core is usually poor as they lack authenticity. We are interested in learning more about how the qualitative research will be conducted.

+ 7.13- We welcome this and wonder if there should be a note about minimising omissions too as this can sometimes happen in sign translated programmes to 'keep up' but vital information are often dropped (i.e. the news).

+ 7.16- Whilst we agree that sign language in programmes should be clearly shot, there should be some space/scope for creativity with regards to framing any signing. This can only be achieved if there are deaf, BSL users involved in the production team i.e. BSL consultants, camera people, producers and directors.

+ Ofcom should potentially consider a weighting system where the value of BSL accessible programmes are quantified, for example BSL accessible programmes that are broadcasted during unsocial hours be weighted lower than those broadcasted during peak periods. As an illustration, unsocial hours broadcasts are counted as

	<p>say having a value of 50% of a peak time programme towards the statutory 5% BSL target.</p> <p>This is needed because 1. Broadcasters are deliberately shunting these off and ticking the box, and 2. Sadly there are a significant number of deaf BSL using people out there, who do not have a linguistic fallback option, who are more likely to be forced to watching TV during unsocial hours detrimental to their own personal and health cost.</p> <p>+ Ofcom should also challenge the practice of broadcasters where they cut off onsite interpreters when reporting news or other events such as the Scottish First Minister's briefings.</p>
<p>Question 13: Do you have any comments about the other proposed changes to the signing guidelines, as summarised in Table 3 (Annex 1)?</p>	<p><i>Is this response confidential? – Y / N (delete as appropriate)</i></p> <p>+ Under 'audiences' you will need to ensure that 'hearing impairment' is changed as it is not an acceptable term.</p> <p>+ 'Sign language users particularly appreciate sign- presented programmes'- this should be kept as deaf people generally want to see themselves represented onscreen. Sign interpreted programmes are suitable for the news or current affairs. Usually, these programmes are interpreted by hearing interpreters so this is all the more reason to keep sign-presented programmes as the main recommendation. There is still the worry about how providers/broadcasters will 'consult' their audiences hence the suggestion to set up an advisory group of native BSL users.</p> <p>+ 'Qualifications' –<i>suggestion to reduce to sign-language interpreters and presenters should be appropriately qualified, both to use sign language of native competency and to communicate effectively through television.</i> There is now a qualification for deaf translators which should be referred to and should be recommended for the news/current affairs where there is important information being shared rather than relying on native BSL users as there lies a risk of mistranslation if they don't have the learning/skills that can</p>

	<p>only be acquired via the qualification. For sign-presented programmes, the suggestion to use those with native competency in works well.</p> <p>+ Visibility of Signer- some degree of creativity (so long as it is led by deaf creative professionals) should be allowed when framing BSL/sign language.</p>
Question 14: Is there anything additional that you think should be added to the revised guidelines on signing?	<p><i>Is this response confidential? – N</i></p> <p>N/A</p>

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