

Annex 6

Equality Impact Assessment ('EIA')

1. Ofcom's principal duty is to further the interests of citizens in relation to communications matters and to further the interests of consumers in relevant markets, where appropriate by promoting competition.
2. Ofcom is also required by statute to assess the impact of all our functions, policies, projects and practices on race, disability and gender equality and an EIA is our way of fulfilling this obligation.
3. The proposed policy changes in this consultation document are unlikely to affect everyone in the same way. Regulatory relaxation may benefit radio station licensees but there is the possibility that the same proposals could affect listeners from some race, disability and gender groups unfavourably. That is another reason for conducting an EIA.
4. In addition, informed by the conclusions of an EIA, there is sometimes the scope to improve our policy proposals better to promote equality among these groups.
5. The following summarises the EIA we have conducted in this project. We publish that summary for consultation and invite comments in particular from groups who consider our proposals adversely impact on them and ask them for any evidence they consider relevant.
6. Amongst our consultation proposals are some about relaxing localness regulation. In broad terms, these may result in reductions in the amount of local material on local commercial analogue radio and the production of that material in areas other than those in which stations provide their service.
7. It appears to us plausible that those proposals will affect all gender and ethnic groups equally, both directly and indirectly. However, they may adversely impact on some disabled persons, the visually impaired in particular, in relation to our duties to promote equality and encourage participation in public life.
8. The Royal National Institute of Blind People ('the RNIB') responded to the Ofcom consultation on licensing Community Radio in 2004 by saying, amongst other things:

'Local radio has been wholeheartedly welcomed by blind and partially sighted people, who are so dependent on the broadcast media generally but in particular for access to local news and information. the areas covered by local radio stations are getting larger, thereby destroying much of the benefit they brought in their early days. Real local news is essential for those people who cannot access their local newspaper.'
9. Local radio provides important citizenship value: as a source of local information and inclusivity for those in communities, enabling citizens to participate in local society and democracy. We agree that may be especially

important for the visually impaired, and others whose disability makes them more reliant on audio media. So, a reduction in localness may impact adversely on people in these groups.

10. Nonetheless, we suggest there are bases for suggesting this potential adverse impact is mitigated and justified:
 - 10.1 our proposals will, even if stations exploit to the fullest extent the proposed flexibility in localness regulation, maintain substantial localness regulation;
 - 10.2 the proposals do not affect the continued existence of Community Radio and BBC Local Radio stations, so these sources of local provision on radio remain intact;
 - 10.3 other aspects of Format regulation that serve the interests of particular groups remain unchanged, and the proposals do not affect any station's ability to offer programming targeted at particular groups, if they choose;
 - 10.4 the principal alternative to our proposals – maintaining current levels of localness regulation – threatens the viability and so continued existence and localness provision of many stations, especially the smallest and most local. This would have greater adverse impact on any group affected by our proposals. Put another way, we suggest our proposals will, in effect, improve localness regulation; and
 - 10.5 we put forward our proposals as part of a future for radio that includes the possibility of a switchover to DAB. This would free up analogue (FM) spectrum, enabling more local stations to broadcast on that frequency in the medium term. And, it may lead to the development of a second national commercial DAB multiplex on which services aimed at particular groups could broadcast. In other words, the proposals themselves are part of an overall improved landscape for local radio. We have already begun a dialogue with the RNIB about their digital radio research and related concerns around usability of digital radio
11. There are, nonetheless, opportunities to discuss the possibility of improving the proposals so that they better promote equality and encourage participation in public life as far as disabled persons are concerned.
12. In particular, we put this summary of our EIA out for consultation and invite comments from groups who consider our proposals adversely impact on them. We hereby ask them for evidence they consider relevant. And, for their comments on how we might implement any improvements to our proposals and monitor the impact of the implementation of our proposals on particular groups.
13. We have also presented our proposals to the Ofcom Advisory Committee for the Elderly and Disabled. We have asked the Committee, through its national network of contacts, to request that equality groups and interested persons respond to our consultation.