



Television Access for People with Sensory Impairments

A DCMS Leaflet

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Chapter 1: Introduction

- 1.1 The Government fully recognises how important access to television services is for people who have sensory impairments.
- 1.2 The Department for Culture, Media and Sport works closely with the broadcasting industry, key groups representing the interests of viewers and listeners and members of the public to help increase access to television for all groups of people, increase choice and maintain programme standards and quality.
- 1.3 This leaflet explains the current legal requirements for the provision of subtitling, sign language and audio description services on analogue and digital television, and answers some frequently asked questions.
- 1.4 In January 2001 the Department published the results of a review of the statutory requirements for the provision of subtitling, sign language and audio description services on the Departmental website (see 1.5), which is also available in hard copy on request from our public enquiry unit at DCMS, 2-4 Cockspur Street, London, SW1Y 5DH.
- 1.5 More information about the work of the Department can be found on our website www.culture.gov.uk or via our public enquiry unit on 020 7211 6200 or fax 020 7211 6210.
- 1.6 The Communications Act received Royal Assent in July 2003. OFCOM has assumed the regulatory responsibilities of the existing regulators; the BSC, ITC, Oftel, Radio Authority and Radiocommunications Agency. The OFCOM website (www.ofcom.org.uk) provides information on the creation and development of OFCOM.

Chapter 2: Subtitling

- 2.1 The Communications Act 2003 replaced all previous legislation concerning the provision of subtitling, signing and audio description services.
- 2.2 Analogue Television - Targets for Channel 3, Channel 4, Channel 5 and the BBC
- 2.2.1 Legislation requires that at least 90% of Channel 3 and Channel 4 programmes and at least 80% of programmes on Channel 5 must be subtitled within 10 years.
- 2.2.2 These targets must be reached within 10 years of 1st January 2000 in the case of Channel 3 and Channel 4, and within 10 years of 1st January 1998 in the case of Channel 5.
- 2.2.3 The BBC has no legal requirement to provide subtitling, but aims to subtitle 100% of all output by 2008.
- 2.3 Current Levels of Subtitling on Analogue
- 2.3.1 The latest figures available are for 2002 and are ITV - 83%, GMTV - 75%, Channel 4 - 84% and Channel 5 - 53%. All Channels exceeded their minimum targets.
- 2.3.2 The latest figures available from the BBC are that for the period 2002/2003, 76% of programming on BBC1 and BBC2 was subtitled.
- 2.4 Digital Terrestrial Television (DTT), Digital Cable and Digital Satellite Services
- 2.4.1 The Communications Act 2003 extends the current requirements on DTT to digital cable and digital satellite services.
- 2.4.2 The following targets are now required on these platforms:
- 2.4.3 Channel 3 and Channel 4 are required to subtitle 90% of programmes within 10 years;

- 2.4.4 All other channels will be required to subtitle 80% of programmes within 10 years. OFCOM has the ability to exempt certain programmes or services from the requirements.
- 2.4.5 These targets must be reached within 10 years of the relevant date. This date ranges from the start of the service or the commencement of the relevant provisions, to January 2000 in the case of Channel 3, Channel 4, and S4C Digital, and 1st January 1998 in the case of Channel 5.
- 2.4.6 A ten year period in which to satisfy the targets gives services sufficient time to plan for the introduction of them, which is important given the substantial costs involved. For those services with new obligations, the Communications Act also introduces a fixed five year interim target of 60% for subtitling to accelerate progress during the early years. This will lead to the availability of much more subtitling than might have been expected on a linear progression to 80%.
- 2.4.7 The BBC has no legal requirement to provide subtitling on its new digital channels but the Corporation aims to subtitle 100% of its output by 2008.

2.5 Monitoring the Service

- 2.5.1 The BBC Governors monitor the levels of subtitling, signing and audio description provided on BBC services. OFCOM monitors how well commercial services meet the legal requirements and has the power to impose sanctions, including fines, on licensees who do not comply.

Chapter 3: Signing and Audio Description

3.1 Targets for Digital Terrestrial Television (DTT), Digital Cable and Digital Satellite Services

3.1.1 Digital technology has huge potential for improving services for people with sensory impairments. As well as providing for subtitling, digital television may enable a separate channel to carry 'closed' signing (i.e signing as an added option) in the manner of today's subtitling services. The broadcasters are looking into ways of achieving this; in the meantime 'open' (visible to all) signing is provided. Technology however has been developed for a separate channel to carry audio description services.

3.1.2 The Communications Act 2003 requires OFCOM to draw up a code on promoting the understanding and enjoyment of programmes by viewers with sensory impairments. The Code includes minimum targets for the signing and audio description of programmes by licensees as laid down in the Act, which can be amended by the Secretary of State through secondary legislation.

3.1.3 The 2003 Act extends the DTT targets to cover digital cable and satellite services. The current targets are for 10% of programmes to be audio described and 5% of programmes to be signed by a ten year anniversary. OFCOM has the power to set interim targets.

3.2 Monitoring the Service

3.2.1 The BBC Governors monitor the levels of subtitling, signing and audio description provided on BBC services. OFCOM monitors how well commercial services meet the legal requirements and has the power to impose sanctions, including fines, on licensees who do not comply.

Chapter 4: Technical Issues

4.1 Maintaining Technical Standards for Subtitling

- 4.1.1 OFCOM will publish guidelines setting out the technical quality and the standards that licensees are expected to observe in providing subtitling, sign language and audio description, as the ITC did. OFCOM works closely with the broadcasters and groups representing people with sensory impairments to ensure that these technical standards are met and to solve any difficulties which may arise.
- 4.1.2 On subtitling, the OFCOM Code is expected to state that particular care should be given to the quality and reliability of subtitles provided. An appropriate apology message should normally be transmitted on the subtitle service as soon as possible after any significant loss or corruption of subtitles. In the case of a severe failure, an on-screen apology, seen by all viewers, may be made. OFCOM will also set standards for the production and presentation of subtitles. This is in line with the previous ITC Code.

4.2 Signing

- 4.2.1 There is no legal requirement for any one particular approach to the provision of programmes in sign language. Broadcasters can meet the requirement either by programmes being translated into sign language or programmes being made by or for deaf people and presented in sign language.
- 4.2.2 To date the provision of sign language on digital services is still through open signing as a reliable and dedicated closed signing service is yet to be implemented.
- 4.2.3 The decision not to raise the 5% target for signing at present was made in recognition of the problems caused by open signing. An increasing number of viewers have complained about the intrusive nature of open signing and having to switch to analogue services, if available as an alternative, to watch programmes without it. OFCOM is continuing to work closely with broadcasters, members of the deaf community and the digital television industry to consider whether a longer term solution to the provision of closed signing might be feasible.

4.3 Audio Description

- 4.3.1 An audio description module has been developed and launched by Netgem. This module provides additional narration which fits between dialogue and describes action, body language, facial expressions etc.
- 4.3.2 The decision not to raise the 10% target for audio description at present was made in recognition of the unresolved production and distribution difficulties with the audio description modules that are needed to receive the service. We are aware of the concern and strength of feeling about this matter and have been in discussion about it with the Royal National Institute for the Blind (RNIB) and others.
The Government is continuing to work with manufacturers, broadcasters, software/applications providers and consumer groups as part of the Digital Television Action Plan in order to make progress in this area. The Netgem module which has been launched recently is seen as a positive step in this area.
- 4.3.3 The Government's role is to set the legislative framework within which audio description and other services for people with sensory impairments can be provided. Requiring broadcasters to meet legal targets is the most effective and practicable way to ensure the provision and expansion of these services. That is why we have extended the target for audio description on DTT to digital cable and digital satellite services.

4.4 Background Noise

- 4.4.1 Research indicates that a significant proportion of the population, especially elderly people, suffer from a reduced ability to distinguish clearly foreground dialogue from background music or sound effects in television programmes. The BBC and OFCOM set the standards for technical quality, including sound levels, but not the use of background music or noise. This is a matter for the individual broadcasters and programme makers.

4.5 Complaints

- 4.5.1 It is important that broadcasters are aware of any concerns regarding their services, especially subtitling.
- 4.5.2 In respect of complaints about BBC services, viewers may contact BBC Access Services, BC3 A5, Broadcasting Centre, London, W12 7TP. Telephone number 020 800 80596.

- 4.5.3 Concerns regarding services on commercial channels should be addressed to the broadcasters. Their addresses are:

TELEVISION BROADCASTERS

Independent Television (ITV) Network Ltd
200 Grays Inn Road
London WC1X 8HF
Tel: 020 7843 8000
www.itv.co.uk

Channel Four Television Corporation
124 Horseferry Road
London SW1P 2TX
Tel: 020 7306 8366
www.channel4.com

Channel Five Broadcasting Ltd
22 Long Acre
London WC2E 9LY
Tel: 020 7550 5555
www.channel5.co.uk

The Welsh Fourth Channel S4C
Parc Busnes Ty Glas
Llanishen
Cardiff CF4 5DU
Tel: 029 2074 1458
www.s4c.co.uk

British Sky Broadcasting Ltd
6 Centaurs Business Park
Grant Way
Isleworth TW7 5QD
Tel: 020 7705 3000
www.sky.com

Alternatively to the regulator:

OFCOM
Riverside House
2a Southward Bridge Road
London
SE1 9HA
Tel: 020 7981 3000
www.ofcom.org.uk

Chapter 5: Other Issues

5.1 Television Licence Fees

- 5.1.1 People over the age of 75, many of whom may have sensory impairments, can benefit from free TV licences introduced from November 2000.
- 5.1.2 People who are blind can benefit from the half price television licences introduced from April 2000.

5.1.3 The reduction for blind people was not extended to deaf and hard of hearing people. Instead, the Government accepted the recommendation of the Davies Review Panel into the future funding of the BBC, that the Corporation should aim to subtitle 50% of programmes on its new digital services by 2003 and 100% by 2008. More subtitling, rather than a reduction in the licence fee, was favoured by the Royal National Institute for Deaf People in its evidence to the review panel.

5.2 The Disability Discrimination Act

5.2.1 Section 21 of the Disability Discrimination Act requires service providers to take positive steps to make their services accessible to people with disabilities. It states that where a service provider offers or provides services to members of the public, the provider will have to take such steps as is reasonable to make it easier for disabled people to make use of the service. Broadcasters are service providers and this therefore applies to them.

5.2.2 What is a reasonable step for a particular service provider will depend on the individual circumstances of the case. It may be, for example, that providing subtitling for some programmes is considered to be a reasonable step for a broadcaster to take to make it easier for disabled people to use the service.