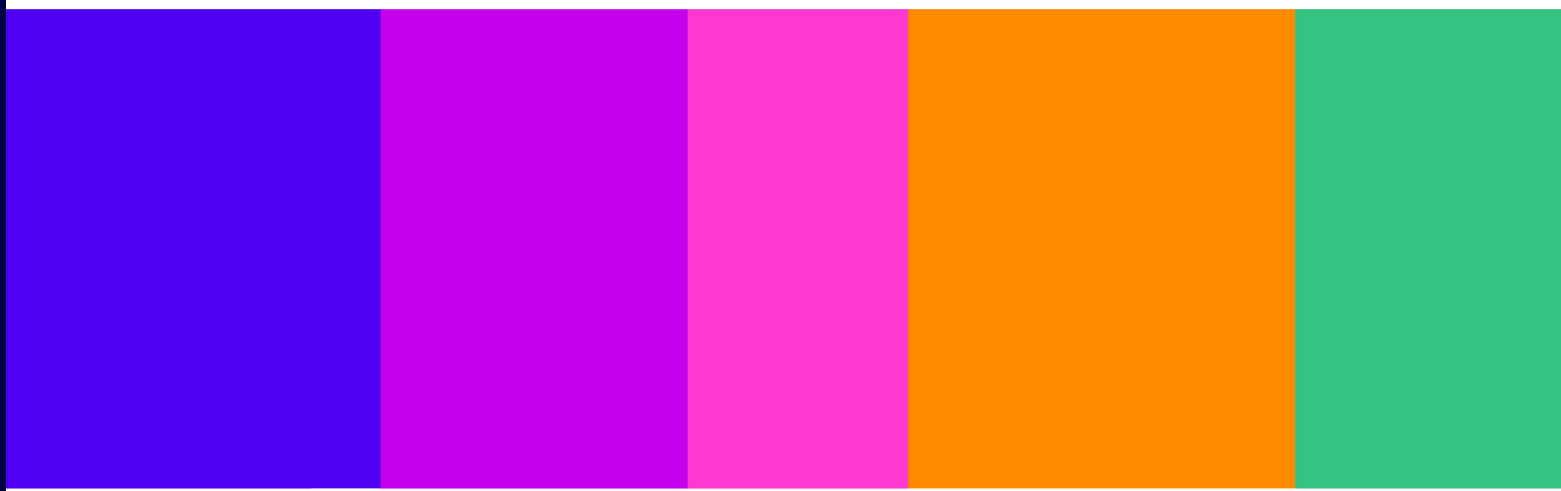




# Ofcom's Code on Television Access Services

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Last updated: 15 April 2024



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# 1. Introduction

- 1.1 This Code on Television Access Services (“the Code”) sets out the guidance and requirements for subtitling, sign language and audio description (‘television access services’) that apply to television services regulated by Ofcom<sup>1</sup>.
- 1.2 The Code applies regardless of the means of delivery<sup>2</sup>, to every licensed public service channel, any digital television programme services (DPS) provided by the Welsh Authority (including S4C Digital), digital television programme services (DTPS), television licensable content services (TLCS), and restricted television services. The Code also applies to the BBC’s UK Public Television Services<sup>3</sup>, regardless of the means of delivery.
- 1.3 Ofcom annually updates the list of channels required to provide access services based on the principles set out in this Code. The list is made available on Ofcom’s [website](#).
- 1.4 The Code does not apply to electronic programme guides provided under a TLCS or DPS licence<sup>4</sup>, or to any service that comprises exclusively of teleshopping or other forms of advertising<sup>5</sup>.
- 1.5 The specific targets applying to all channels can be found in the most recent of the [periodic reports](#) published by Ofcom.
- 1.6 Broadcasters should also have regard to Ofcom’s [best practice guidelines](#) in providing access services.
- 1.7 Ofcom recognizes that some broadcasters already provide television access services on a voluntary basis, and encourages broadcasters to do so where possible, and to have regard to relevant parts of the code and guidance.

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<sup>1</sup> Licensed in accordance with the Communications Act 2003, the Broadcasting Act 1996 or the Broadcasting Act 1990.

<sup>2</sup> The requirements will extend to online delivery if the online service can be accessed by means of a regulated electronic programme guide. See Section 211 of the Communications Act 2003.

<sup>3</sup> Defined in Article 75 of the BBC Agreement.

<sup>4</sup> The Ofcom Code of practice on electronic programme guides sets out accessibility practices to be followed by providers of electronic programme guides (“EPGs”).

<sup>5</sup> Advertising is excluded from the definition of ‘programme’ under section 303 of the Act.

## 2. Legal Background

- 2.1 Section 303 to 305 of the Communications Act 2003 (“the Act”) require Ofcom to draw up this Code, giving guidance on the extent to which licensed television services should promote the understanding and enjoyment of programmes by people with disabilities, and in particular persons who are deaf or hard of hearing and/ or persons who are blind or partially-sighted. This code refers to these people as disabled people<sup>6</sup> and people with sight loss and blind people and people with hearing loss and d/Deaf people. The code should also give guidance on the means by which such understanding and enjoyment should be promoted. Ofcom is required to review and revise the code of guidance from time to time.
- 2.2 Under the Act, the Code must also include provision for securing that broadcasters ensure that adequate information is made available to those who are likely to want to make use of the assistance they provide. The relevant requirements are set out in Promoting awareness.
- 2.3 The Code must include provision encouraging broadcasters to develop accessibility action plans and requiring such action plans to be notified to Ofcom.
- 2.4 The Code must also include provision requiring broadcasters to report annually to Ofcom about the accessibility of relevant services to people with disabilities.

### Legal Background for the BBC

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- 2.5 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 sight and/or hearing impairments, and the means by which such understanding and enjoyment should be promoted. This Code includes relevant guidance in relation to programmes included in the BBC’s UK Public Television Services which must be observed by the BBC<sup>7</sup>.
- 2.6 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 broadcasters at 2.2.

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<sup>6</sup> This reflects the “social model” of disability.

<sup>7</sup> The BBC’s UK Public Services are the services included in the list maintained and published by the BBC under Part 1 of Schedule 1 to the Agreement, as amended by the BBC from time to time. A material change to the UK Public Services may require the list to be amended. UK Public Television Services are those UK Public Services consisting of television programme services.

## 3. Definitions

### 3.1 In this code:

- a) ‘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.
- b) ‘audio description’ is an additional audio commentary that describes what is happening on screen, primarily for people with sight loss and blind people.
- c) ‘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. 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<sup>8</sup>.
- d) ‘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.
- e) ‘sign-presentation’ is when a programme is presented in sign-language.
- f) ‘domestic broadcaster’ means the provider of a television programme service which is primarily intended for reception by members of the public within the United Kingdom. We call these television programme services ‘domestic channels’;
- g) ‘non-domestic broadcaster’ means the provider of a television programme service which is primarily intended for reception by members of the public in countries party to the European Convention of Transfrontier Television (“the ECTT”) other than the United Kingdom. We call these television programme services ‘non-domestic channels’
- h) The ‘applicable date’ for the purpose of determining the access service obligations is 29 December 2003<sup>9</sup> for domestic channels and 1 January 2013<sup>10</sup> for non-domestic channels for services commencing before these dates. For services commencing after these dates, the applicable date is the date on which the provision of the service commenced. The applicable date differs for the PSB channels<sup>11</sup>. Ofcom may determine that a television service should be treated as a continuation of a previous service in circumstances where the nature of the service has remained substantively the same.
- i) ‘average audience share’ means the audience share over a year in a given country where the service is received;
- j) ‘channels with smaller audience shares’ means channels with an average audience share higher than the relevant audience share threshold but lower than the relevant

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<sup>8</sup> 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.

<sup>9</sup> The date when the legislation first came into force.

<sup>10</sup> This is the date on which access service requirements first came into force for non-domestic channels. See our statement

<sup>11</sup> BBC 1 and BBC 2 have an applicable date of 1 January 1997. As set out in the Act, Channel 3,4 and S4C Digital have an applicable date of 1 January 2000, and Channel 5 has an applicable date of 1 January 1998.

signing threshold set out in Annex 1 to the Code. These channels are excluded from the statutory signing targets set out in Table 1 of this Code, and instead are subject to different requirements for signing as explained in paragraphs 5.5 to 5.10.

## 4. Targets

- 4.1 This section sets out the statutory targets for broadcasters, along with interim targets set by Ofcom. Broadcasters should also see [Exclusions and alternative requirements](#) for guidance on programmes and services which are excluded from the full targets set out here, and the alternative requirements which may apply.
- 4.2 The Act sets out ten-year targets for subtitling, audio description and signing (80%,10%, 5%), as well as five-year targets for subtitling (60%). The Act specifies higher ten-year subtitling targets for Channel 3 and Channel 4 than for other broadcasters (90%). In accordance with the BBC Agreement, BBC Channels are required to meet the highest subtitling targets of all broadcasters (100%)<sup>12</sup>. These targets, along with Ofcom’s interim targets, are included in Table 1 below.
- 4.3 The targets are to be interpreted as percentages of programme hours in a year, including all programmes other than advertisements<sup>13</sup> and programmes that have been excluded by reference to the factors set out in [Exclusions and alternative requirements](#).
- 4.4 The targets apply to a service regardless of the means of delivery. They should be met by the service on each delivery platform where it is regulated<sup>14</sup> (and where there are no exemptions) and should not be calculated as an average across all delivery platforms.
- 4.5 The targets represent minimum obligations and apply on a rolling basis from each anniversary of the applicable date onwards for each service in question.

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<sup>12</sup> As explained in the Legal Background section (section 2), this Code constitutes guidance which must be observed by the BBC in providing its UK Public Television Channels, in accordance with the BBC Agreement.

<sup>13</sup> Section 405 of the Communications Act provides that ‘programme’ includes an advertisement and, in relation to a service, anything included in that service. Section 303(13) excludes advertisements from the meaning of programme for the purpose of that section.

<sup>14</sup> Broadcast services are regulated when they are available via a [regulated Electronic Programme Guide](#) (EPG) or are based in the UK and broadcasting to a country party to the European Convention on Transfrontier Television.

**Table 1: Access services targets for channels which are not excluded or subject to alternative requirements**

Anniversary of applicable date	Subtitling	Audio Description	Signing (sign-interpretation and/or sign-presentation)
First	10%	2%	1%
Second	10%	4%	1%
Third	35%	6%	2%
Fourth	35%	8%	2%
Fifth	60%	10%	3%
Sixth	60%	10%	3%
Seventh	70%	10%	4%
Eighth	70%	10%	4%
Ninth	70%	10%	4%
Tenth onwards	Channel 3 and Channel 4:90% BBC Channels:100% All other channels: 80%	10%	5%

## Quality Standards

- 4.6 While Ofcom is open to the use of different technologies to provide access services, broadcasters need to ensure that their access services are of sufficiently high quality so as to ensure these services are effective in contributing to the accessibility of their programming.
- 4.7 Ofcom will consider whether access services are of sufficient quality on a case-by-case basis and take account of various factors to assess this, including:
- For subtitles: accuracy, synchronicity, readability, presentation style, and description of non-speech information. We will also consider whether the programming is live or pre-recorded.
  - For audio description: accuracy, comprehensibility and audibility
  - For signing: accuracy, synchronicity, and visibility
- 4.8 We also encourage broadcasters to have regard to our best practice guidelines, which provides further guidance on how broadcasters can promote the understanding and enjoyment of their programmes by disabled people.



## 5. Exclusions and alternative requirements

- 5.1 Under the Act, Ofcom can exclude certain programmes or services from the statutory targets and apply different requirements to excluded programmes/services.
- 5.2 Ofcom may exclude programmes and services having regard, in particular, to:
- a) the extent of the benefit which would be conferred by the provision of the assistance for disabled people in relation to the programmes;
  - b) the size of the intended audience for the programmes;
  - c) the number of persons who would be likely to benefit from the assistance and the extent of the likely benefit in each case;
  - d) the extent to which members of the intended audience for the programmes are resident in places outside the United Kingdom;
  - e) the technical difficulty of providing the assistance; and
  - f) the cost, in the context of the matters mentioned in paragraphs (a) to (e), of providing the assistance.
- 5.3 Having regard to these factors, we set out below guidance on how Ofcom excludes programmes and services from the full statutory targets, and the alternative requirements which may apply for excluded programmes/ services. Ofcom will apply the same guidance, as applicable, on exclusions and alternative requirements relating to the BBC's UK Public Television Channels<sup>15</sup>.

### Audience benefit

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#### Exclusion from providing any access services

- 5.4 Television services are excluded from providing television access services if their share of viewing falls below the relevant audience share threshold. The relevant audience share thresholds are as follows:
- a) For domestic television services: an average audience share (of all UK households over a 12-month period) of 0.05%
  - b) For non-domestic television services: the average audience share (in a 12-month period) indicated in [Annex 1](#) for the relevant country party to the ECTT where the service is received. Ofcom updates [Annex 1](#) from time to time to ensure that the thresholds for non-domestic services represent an equivalent number of viewers to the domestic 0.05% threshold.

#### Alternative Requirements for Signing

- 5.5 Ofcom excludes television services from the statutory signing targets (in Table 1 above) if they do not meet the relevant signing threshold.

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<sup>15</sup> As explained in Legal Background above, this Code constitutes guidance which must be observed by the BBC in regard to its UK Public Television Channels, in accordance with the BBC Agreement.

- 5.6 The relevant signing thresholds are as follows:
- a) For domestic television services: an average audience share (in a 12-month period) of 1% of the total viewing for all UK channels combined;
  - b) For non-domestic television services: the average audience share (in a 12-month period) for the relevant country party to the ECTT where the service is received. Ofcom updates [Annex 1](#) from time to time to ensure that the thresholds for non-domestic services represent an equivalent number of viewers to the domestic 1% threshold.
- 5.7 Ofcom will consider, in the light of the factors set out above (at 5.2), whether or not channels with an audience share of slightly more than or slightly less than the signing threshold should be excluded.
- 5.8 Ofcom has determined alternative signing requirements for television channels with an audience share below the relevant signing threshold but above the relevant audience share threshold ('channels with smaller audience shares'), as set out below.
- 5.9 Broadcasters may propose alternatives to the arrangements set out here, and Ofcom will consider these in light of the factors set out in paragraph 5.2, and the guidance set out in [Annex 2](#).
- 5.10 Ofcom requires that channels with smaller audience shares should, from the first anniversary of the applicable date, broadcast each month no less than the minimum amounts of sign-presented programming<sup>16</sup> specified in Table 2. For domestic channels, such programming should be shown between 7am and 11pm local time. Ofcom will keep this requirement under review.

**Table 2: Sign-Presentation Requirements for Channels with smaller audience shares**

Anniversary of applicable date	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth onwards
Minutes per month of sign-presented programming	30	30	30	30	45	45	60	60	60	75

- 5.11 As Ofcom increased the sign-presentation requirements for domestic channels with smaller audience shares with effect from 1 January 2016, Ofcom applied transitional arrangements for longer-running channels to avoid a sudden increase in their obligations<sup>17</sup>.

<sup>16</sup> Programming that, in Ofcom's opinion, contains a substantial proportion of sign-interpreted content will not fulfil this obligation.

<sup>17</sup> For more detail, see our 2015 [Statement](#).

**Table 3: Transitional sign-presentation arrangements for domestic channels with smaller audience shares with an applicable date earlier than 1 January 2012**

Calendar Year	2016	2017	2018	2019	2020	2021	2022
Minutes per month of sign-presented programming	30	35	45	50	60	65	75

## Technical difficulty

- 5.12 Television access services need not be provided if Ofcom is satisfied that this would be impracticable on grounds of technical difficulty. Technical difficulty may include difficulties related to the platform used for the delivery of the service or to providing access services on particular genres or types of programming. For example, difficulty in providing audio description on music and news services where there is little space within the audio material to provide audio description. Ofcom will consider exclusions for technical difficulty on a case by case basis.
- 5.13 Broadcasters may, if they wish, request exclusions from the full targets on grounds of technical difficulty (see Process for determining requirements).

## Affordability

- 5.14 Ofcom has outlined three levels of access service provision, to avoid disproportionate costs for broadcasters. The three levels of provision are as follows:

<b>Level One:</b>	<b>100% of the current annual targets for subtitling, signing and audio description, as well as any alternative requirements</b>
Level Two:	66% of the current annual target for subtitling, as well as 100% of the targets for signing and audio description, and any alternative requirements
Level Three:	33% of the current annual target for subtitling, as well as 100% of the targets for signing and audio description and any alternative requirements

- 5.15 Broadcasters whose services are not otherwise excluded will be required to achieve the highest level of provision they can afford within a budget equating to 1% of their ‘relevant turnover’<sup>18</sup>. Only broadcasters unable to afford Level Three costs will be exempt from access service provision altogether on affordability grounds.
- 5.16 Ofcom determines average costs per hour of providing programming with subtitling, signing and audio description. In determining the applicable costs for each channel, Ofcom will have regard to the number of hours broadcast each day, the percentage of repeats, and any exemptions or alternative requirements imposed in accordance with paragraph 5.2.

<sup>18</sup> As defined in Ofcom’s Statement of Charging Principles.

5.17 In the case of channels in common ownership<sup>19</sup>, Ofcom will determine which channels that are not otherwise excluded should provide television access services by averaging the total relevant turnover across all services in common ownership. If this means that each of the channels would have an average relevant turnover which would enable it to meet one of the three levels at a cost of 1% or less of that average relevant turnover, those channels will be required to provide the relevant level of television access services. If the averaging of relevant turnover would mean that none of the services would need to provide television access services, Ofcom will assess eligibility on the basis of the individual relevant turnover attributable to each service.

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<sup>19</sup> For the purpose of the Code, Ofcom will treat a channel as being in common ownership with one or more other channels if each channel is a subsidiary (within the meaning of the Companies Act 1985) of a common holding company or if they share a common parent at any point in the chain of ownership which has a majority interest in each. In determining whether channels are in common ownership, Ofcom will also have regard to other relevant factors of the kind set out in Ofcom's Guidance on the definition of control of media companies.

## 6. Promoting awareness

- 6.1 Ofcom requires television service providers to promote awareness of the availability of their television access services to potential users of the services, including by making available accurate and timely information to electronic programme guide (EPG) operators listing their services, and by providing similar information on their own website and app listings. Ofcom has imposed corresponding obligations on EPG operators through the EPG code made under section 310 of the Act. Broadcasters should indicate which programmes are accompanied by television access services by including the standard upper-case acronyms for subtitling (S), audio description (AD) and signing (SL).
- 6.2 Ofcom will also expect television service providers to demonstrate that they are taking effective steps to publicise awareness of their television access services through other means, including periodic on-air announcements and information in publications aimed at persons likely to benefit from television access services. Where the nature of the access service is not spelt out in full, the standard abbreviations referred to in paragraph 6.1 above should be used.
- 6.3 Where unforeseen circumstances mean that scheduled access services are not available, television service providers should take steps to ensure that updated information is provided to EPG operators and that audiences are given timely information on availability by appropriate and effective means including via on-air broadcasts as well as written/online communications, and using BSL where appropriate for the affected audience<sup>20</sup>.

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<sup>20</sup> For more guidance see our Best Practice Guidelines. We note that Ofcom's Television Technical Performance Code specifies that "where programmes are scheduled to carry access services, Channel 3 licensees, the Channel 4 licensee and the Channel 5 licensee must ensure that the presence and reliability of those access services is given the same priority as ensuring the presence and reliability of those programmes' vision and sound components".

## 7. Scheduling

- 7.1 Ofcom expects that broadcasters will normally schedule programming with subtitling and audio description at peak viewing times for each channel. However, as signing is currently only provided in open format, it is accepted that signed television programmes may need to be shown outside peak viewing hours (subject to paragraph 5.9). Ofcom encourages broadcasters not to seek to fulfil their obligations by scheduling multiple repeats of programmes, as this will detract from the benefit of providing access services to users.

### Emergency Announcements

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- 7.2 Section 336 (1-3) of the Act sets out that the Secretary of State or any other Minister of the Crown may at any time require Ofcom to give a direction to specified licensed broadcasters to include a specified announcement in their services. Where this announcement relates to an emergency, including a natural disaster, the direction must require the information given in the announcement to be provided in a manner that is accessible to disabled people.
- 7.3 We refer broadcasters to our best practice guidelines for further recommendations on making emergency announcements accessible.

### Action Plans

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- 7.4 Ofcom encourages broadcasters to develop accessibility action plans with a view to continuously and progressively making their services more accessible to disabled people. Any such action plans should be notified to Ofcom.
- 7.5 We encourage broadcasters to refer to our best practice guidelines for recommendations on developing their action plans.

# 8. Process for determining requirements

## Ofcom Assessment

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- 8.1 Ofcom calculates and imposes requirements on a calendar year basis<sup>21</sup>. However, the target levels applying to a particular channel are determined by reference to that channel's 'applicable date' (see Targets).
- 8.2 Each year, Ofcom will conduct a mid-year review of the audience share and relevant turnover of licensed channels, based on the most recent four quarters for which corresponding data is available. Ofcom will notify the licensee, if on the basis of that review Ofcom considers that a channel is likely, for the whole of the following calendar year, to be:
- a) subject to a requirement to provide television access services;
  - b) subject to a different level of provision; or
  - c) subject to alternative signing requirements;
- 8.3 Ofcom will also specify the levels of access service provision which the licensee is likely to be required to meet in the following calendar year. Ofcom aims to notify broadcasters of the outcome of the mid-year review by 30 June each year.
- 8.4 If a service that ceases to be required to provide television access services subsequently regains the levels of audience share and / or qualifying revenue that would subject it to the requirement once more, the licensee will be required to resume provision at the appropriate level in accordance with the licensee's applicable date.
- 8.5 After carrying out a mid-year review, Ofcom will also publish a public statement indicating which channels will be required to provide access services in the following calendar year.
- 8.6 If, at any time, a licensee demonstrates to Ofcom's satisfaction that continuation of access service obligations would threaten the viability of its service, Ofcom may reduce, suspend or terminate those obligations.

## Process for broadcasters

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- 8.7 Broadcasters to whom this code applies:
- a) are required to submit returns on their access service provision every six months covering the previous two quarters, in the form and format to be notified separately by Ofcom; and
  - b) shall make and retain a recording in sound and vision in a form acceptable to Ofcom of every programme included in the service for a period of 60 days from the date of its broadcast, and provide a copy of the recording for examination and reproduction on request by Ofcom.

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<sup>21</sup> This means that Ofcom applies the access service requirements for new channels from the January following the first anniversary of their applicable date.

- 8.8 See [Annex 2](#) for the process for requesting alternative arrangements for signing for channels with smaller audience shares.
- 8.9 Broadcasters may request exclusions from the full targets on the grounds of technical difficulty (see 5.11 Technical Difficulty). Broadcasters should do this as early in the year as possible to give time for consideration, and no later than 1 September each year.
- 8.10 Ofcom assesses broadcasters' compliance with the relevant access service requirements on an ongoing basis.
- 8.11 Broadcasters may request exclusions from the full targets on the grounds of technical difficulty. Broadcasters may, if they wish, request exclusions from the full targets on grounds of technical difficulty (see Process for determining exclusions requirements)). Broadcasters should do this as early in the year as possible to give time for consideration, and no later than 1 September each year.
- 8.12 Ofcom assesses broadcasters' compliance with the relevant access service requirements on an ongoing basis.

## Review

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- 8.13 This code is subject to periodic review.



# A1. Audience share and signing thresholds

A1.1 This annex sets out the audience share and signing thresholds for non-domestic broadcasters which Ofcom uses to determine whether channels are to be excluded from the requirement to provide access services, or subject to alternative requirements for signing (as explained in paragraph 5.4 to 5.10). Ofcom updates Annex 1 from time to time to ensure that the thresholds for non-domestic services represent an equivalent number of viewers to the thresholds for domestic broadcasters (0.05% audience share threshold and 1% signing threshold).

EU Member State	Audience share threshold	Signing threshold
Austria	0.39%	7.73%
Belgium	0.32%	6.37%
Bulgaria	0.33%	6.66%
Croatia	0.55%	10.95%
Cyprus	3.35%	66.96%
Czech Republic	0.28%	5.58%
Denmark	0.72%	14.4%
Estonia	2.06%	41.27%
Finland	0.66%	13.21%
France	0.05%	0.91%
Germany	0.03%	0.70%
Greece	0.21%	4.14%
Hungary	0.23%	4.59%
Iceland	23.75%	*
Ireland	0.80%	16.06%
Italy	0.04%	0.79%
Latvia	1.71%	34.22%
Lithuania	0.95%	19.00%
Luxembourg	4.83%	96.60%
Malta	5.92%	*
Netherlands	0.21%	4.19%
Norway	1.02%	20.43%
Poland	0.06%	1.24%

Portugal	0.21%	4.16%
Romania	0.10%	1.90%
Slovakia	0.47%	9.46%
Slovenia	1.39%	27.78%
Spain	0.05%	1.10%
Sweden	0.44%	8.82%
Switzerland	0.62%	12.30%
Turkey	0.04%	0.77%
United Kingdom	0.05%	1%

**\*Where an asterisk appears instead of a signing threshold, the nominal threshold would exceed 100% of total viewing**

## A2. Guidance to broadcasters of channels with smaller audiences on alternative arrangements for signing

A2.1 This Annex sets out guidance for broadcasters of domestic and non-domestic channels with ‘smaller audience shares’ which are excluded from the statutory signing targets (set out in Table 1). Paragraphs 5.4 to 5.10 explain the criteria by which Ofcom considers channels to be ‘channels with smaller audience shares’ and set out the alternative requirements for signing which apply by default for these channels. Broadcasters of channels with smaller audience shares who do not wish to be subject to the requirements in paragraphs 5.7 to 5.10 may propose alternatives to Ofcom and should follow the guidance set out below.

### Alternative arrangements

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A2.2 Broadcasters are not obliged to propose alternative arrangements, nor is Ofcom required to accept any proposal as a substitute for meeting the requirements set out in paragraphs 5.7 to 5.10.

A2.3 Broadcasters may discuss possible alternative arrangements for channels with smaller audience shares with Ofcom in advance of a formal proposal, and Ofcom encourages them to do so. In any case, in order that broadcasters and / or third parties have sufficient time to plan for the implementation of alternative arrangements, broadcasters should submit proposals no later than 31 July in the year before they wish to implement them. If they do not submit proposals by this date, broadcasters are likely to be obliged to implement the requirements set out in paragraphs 5.7 to 5.10. Provided the proposals contain sufficient information, Ofcom will aim to decide whether or not to accept the proposed alternative arrangements by 31 August.

A2.4 Ofcom will consider proposals from individual broadcasters or groups of broadcasters of both domestic and non-domestic channels with smaller audience shares for alternative ways of achieving the objective of making more accessible programming<sup>22</sup> available to d/Deaf sign language users.

A2.5 In determining whether to accept the proposed alternative arrangements, Ofcom will consider whether they would be likely to provide better assistance for deaf people using sign language. Ofcom will consider in particular whether the proposed alternative arrangements would:

- i. contribute to a diversity of accessible programming broadcast between 7am and 11pm;

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<sup>22</sup> Accessible programming in this context means programming with the type of assistance that Ofcom has deemed appropriate, whether that is sign presentation, sign interpretation or subtitling. In the case of the UK, Ofcom has deemed sign presentation to be the form of accessible programming usually appropriate (see paragraph 1.21 of Ofcom’s 2007 Statement).

- ii. incorporate effective mechanisms for taking account of the views of deaf groups about the preferences of deaf people for accessible programming;
- iii. ensure that the terms of access to programming are no less favourable to sign language users than access to the channel in respect of which alternative arrangements are proposed;
- iv. amount to, or be equivalent to, an annual financial contribution in respect of each relevant channel, as set out in Table 4. This amount is subject to review from time to time; and
- v. commit the broadcaster to implement the arrangements or to contract with an acceptable party to implement the arrangements for a period of not less than two years, subject to a provision allowing the channel to discontinue the arrangements if it ceases to be subject to access service obligations.

A2.6 Ofcom has determined appropriate minimum annual levels of financial contribution to alternative arrangements. Table 4 sets out these levels. Ofcom adjusts the minimum contribution levels on an annual basis for inflation. Ofcom publishes the inflation-adjusted minimum contributions for the following year on its website<sup>23</sup> at the same time as it publishes the annual list of channels required to provide television access services in the following year. At the same time, Ofcom updates Table 4 with the applicable contributions.

**Table 4: Minimum annual contributions to alternative arrangements**

Anniversary of applicable date	Minimum contributions to alternative arrangements in 2023 (adjusted for inflation)
First	£27,370
Second	£27,370
Third	£27,370
Fourth	£27,370
Fifth	£41,112
Sixth	£41,112
Seventh	£54,853
Eighth	£54,853
Ninth	£54,853
Tenth and after	£68,593

A2.7 The level of minimum annual contribution is subject to review.

A2.8 A broadcaster that has, in good faith and with Ofcom’s agreement, contracted for the alternative arrangements – to be implemented by a third party shall not be required to

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<sup>23</sup> See the Ofcom [website](#)

resume the requirements set out in paragraphs 5.7 to 5.10 for the duration of the paid-for period of the contract. This applies even if the third party fails to fulfil the requirements of the contract.

## Sign-interpretation or Additional Subtitling (Non-Domestic Broadcasters)

A2.9 Broadcasters of non-domestic channels with smaller audience shares may instead submit proposals to meet the targets for sign-interpretation or additional subtitling set out in Table 5 below<sup>24</sup>. When assessing proposals, Ofcom will consider in particular whether sign language users in target countries would prefer another form of assistance instead of sign-presented programming.

**Table 5: Alternative Arrangements for Non-Domestic Channels with smaller audience shares**

Anniversary of applicable date	First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth	Tenth onwards
Annual targets for sign-interpretation	1%	1%	2%	2%	3%	3%	4%	4%	4%	5%
Or annual targets for additional subtitling <sup>25</sup>	5%	5%	7.5%	7.5%	10%	10%	12.5%	12.5%	12.5%	15%

<sup>24</sup> As with the statutory targets (see paragraph 4.3), the targets are to be interpreted as percentages of programme hours in a year, including all programmes other than advertisements and programmes that have been excluded by reference to the factors set out in in the Exclusions and Alternative Requirements section.

<sup>25</sup> These targets apply in addition to the subtitling requirements set out in Table 1.