



What's on the telly? Proposed improvements to EPG accessibility for people with visual impairments - consultation

The Communications Consumer Panel (the Panel) and the Advisory Committee on Older and Disabled People (ACOD) welcome the opportunity to contribute to Ofcom's consultation on proposed improvements to Electronic Programme Guide (EPG) accessibility for people with visual impairments.

The Panel works to protect and promote people's interests in the communications sector, including the postal sector. We are an independent statutory body set up under the Communications Act 2003. The Panel carries out research, provides advice and encourages Ofcom, governments, the EU, industry and others to look at issues through the eyes of consumers, citizens and microbusinesses.

The Panel pays particular attention to the needs of older people and people with disabilities, the needs of people in rural areas and people on low incomes, and the needs of micro businesses, which have many of the same problems as individual consumers.

Four members of the Panel also represent the interests of consumers in England, Northern Ireland, Scotland and Wales respectively. They liaise with the key stakeholders in the Nations to understand the perspectives of consumers in all parts of the UK and input these perspectives to the Panel's consideration of issues. Following the alignment of ACOD with the Panel, the Panel is more alert than ever to the interests of older and disabled consumers and citizens.

Response

The Panel and ACOD strongly support Ofcom's objective to make communications work for all consumers and citizens. Our belief is that, as far as practicable, all content users should have equivalent access.

In our 2014 response¹ to Ofcom's call for inputs (CFI) on speaking Electronic Programme Guides (EPGs), the Panel supported the view that speaking EPGs should be introduced as a mainstream application. We have long argued that provision for people with disabilities should be built into technology as standard, rather than as a separate piece of development or hardware. We see no reason why EPGs should fall into a different category - particularly given the importance of TV to people with partial sight or blindness. We therefore called for the initiative to be implemented as soon as possible. We are extremely encouraged that, according to the consultation document, providers have found few technical barriers to producing speaking EPGs.

¹ <http://www.communicationsconsumerpanel.org.uk/downloads/speaking-tv-programme-guides-080914.pdf>

Recent research for Ofcom has highlighted that a third of visually-impaired consumers interviewed considered that their disability limits or prevents their use of communications devices and services².

The research, which focused on disabled people's experience of communications services, showed that 55% of consumers with a level of visual impairment *had access to* free-to-air TV - compared to 50% of non-disabled people (fig. 1); but the percentage of people with a visual impairment who *personally used* any form of TV was much lower, ranging from 3% to 42% (fig. 2). We urge Ofcom, EPG providers and TV receiver manufacturers to consider why visually-impaired people with access to a TV would not personally use it on a regular basis. We believe one explanation - supported by evidence provided by participants at Ofcom's April 2014 roundtable - is that visually-impaired consumers are obstructed from accessing all of the services and channels on offer because they do not have an EPG that is compatible with their particular needs. So the choices available to non-disabled users are not available to visually-impaired users with the same device or service. We consider Ofcom's proposed set of amendments to the EPG Code a timely move towards resolving this clearly-evidenced problem.

Figure 1 illustrates current levels of access to communication devices and services, across each disability type, highlighting where access was significantly higher or lower among each group compared to non-disabled consumers, and where access levels had increased or decreased since 2012.

² <http://stakeholders.ofcom.org.uk/market-data-research/other/cross-media/disabled-consumers-ownership-comms-services/Disabled-consumers-use-of-communications-services/>

Figure 1 Access to devices and services among consumers

	Non-disabled	All disabled	Mobility impairment	Hearing impairment	Visually impaired	Multiple impairments	Learning disability
Landline	72% ↓	77% ↓	79%	83%	75%	82%	66%
Any mobile	89% ↑	85% ↑	80%	86%	83%	82% ↑	87%
Smartphone	66% ↑	41% ↑	31% ↑	46% ↑	48% ↑	29% ↑	57%
PC/laptop	79%	64% ↑	59% ↑	71% ↑	66%	54%	68%
Internet	88% ↑	65% ↑	60% ↑	69%	75% ↑	49% ↑	73%
Tablet	42% ↑	30% ↑	27% ↑	32% ↑	33% ↑	23% ↑	41%
Games console	32%	21% ↑	13%	19%	27%	16% ↑	40%
Pay-TV	55%	48%	43%	48%	48%	46%	56%
Free-to-air TV	50% ↓	60% ↓	60%	61%	55%	65%	60%
DAB	26%	25% ↑	24% ↑	30%	24%	25% ↑	22%

Source: British Population Survey, 1 August - 20 November 2014

Base: non-disabled: 15,859, mobility impaired: 845, hearing impaired: 457, visually impaired: 319, multiple impairments: 698, learning disability: 199

○ = Notes whether each disability group in 2014 was statistically significantly higher or lower than non-disabled consumers (red=lower, green=higher)

↑/↓ = Notes whether each disability group in 2014 was statistically significantly higher or lower than the same disability group in 2012 (consumers with a learning disability were not defined in the 2012 survey, therefore comparison cannot be made)

Figure 2 compares current levels of access to communication devices and services with the proportion of each disability type who say they personally use that device/service.

Figure 2 Access and personal use comparison among disabled consumers²

	Mobility impairment		Hearing impairment		Visual impairment		Multiple impairments		Learning disability	
	Access	Personally use	Access	Personally use	Access	Personally use	Access	Personally use	Access	Personally use
Landline	79%	70%	83%	72%	75%	63%	82%	74%	66%	53%
Any mobile	80%	66%	86%	73%	83%	68%	82%	67%	87%	77%
Internet	60%	59%	69%	68%	75%	73%	49%	47%	73%	73%
Tablet	27%	21%	32%	22%	33%	24%	23%	18%	41%	31%
DAB radio	24%	21%	30%	24%	24%	18%	25%	19%	22%	15%
Satellite TV	31%	27%	33%	26%	34%	29%	33%	28%	37%	31%
Cable TV	13%	10%	18%	14%	18%	12%	15%	13%	22%	18%
Freeview TV	57%	50%	58%	51%	53%	42%	61%	54%	59%	50%
Freesat TV	5%	3%	7%	6%	6%	3%	6%	5%	6%	5%

Source: British Population Survey, 1 August - 20 November 2014

Base: mobility impaired: 845, hearing impaired: 457, visually impaired: 319, multiple impairments: 698, learning disability: 199

○ = Notes whether personal use levels of each device/service for each disability group were statistically significantly lower than access levels of each device/service for that group

As we noted in our response to Ofcom's 2014 call for inputs on speaking EPGs, the trials conducted by the Australian Government involving customers who were blind or had a



vision impairment indicated that visually-impaired consumers were much more likely to enjoy watching TV if they could access a choice of channels using a speaking EPG.

The research found that: 88% of respondents had adopted the 'talking' remote control as their main remote control, with 71% rating it as excellent or very good; the two most useful functions of the 'talking' set top boxes (STB) were the 'talking' menus (with 70% rating these as very or quite useful), and the 'talking' programme guides (62%), particularly amongst people with a sight impairment and even more so amongst those respondents who were blind. 63% of visually-impaired consumers said that their enjoyment of TV had increased "a lot" or "a bit", while results were higher for blind viewers (75%) and seeing viewers (71%).

This shows that improving accessibility for a group of consumers who need it can benefit consumers overall. The potential number of users of speaking EPGs could be substantially more than the 2 million people estimated, when taking into account sighted consumers. Speaking EPGs may benefit people with dexterity and mobility impairments (such as arthritis or MS), learning impairments, or dyslexia, by allowing them to receive programme information without having to physically manipulate a remote control, or read words on a screen.

Access and accessibility

As we note above, having access to a communications device or service does not automatically amount to benefitting from or enjoying that service. As explained in the original CFI document, many visually-impaired people find standard EPGs difficult or impossible to use. Many people rely on their ability to memorise the channel number and scheduled time of preferred programmes, or ask sighted friends and family members for help. In our view, this is unacceptable.

The consultation document highlights the RNIB's finding that visually-impaired people are more likely than non-disabled consumers to live alone. This has been supported by Ofcom's subsequent research, referred to above - with Ofcom finding that 25% of visually-impaired people live in a single occupant household, compared to 16% of non-disabled people. Access to speaking EPGs - delivered as text-to-speech (TTS) would, we believe, allow visually-impaired people a greater ability to explore the range of channels and services on offer to all consumers. This would, in turn, lead to increased autonomy and social inclusion.

As sight loss increases proportionately with age, we also believe that the impact of the ageing population needs to be factored into any solution that is put into place.

Use of apps

We strongly agree with Ofcom's stance that reliance on the use of separate apps on mobile devices linked to the consumer's TV would be impractical - and, for some consumers, impossible to use. TTS should be integrated into devices by EPG providers and TV receiver manufacturers. This would also provide a clearer route for consumers who experience technical problems with their EPG to seek resolution of the problem; and it would eradicate the problem of incompatibility between devices.

Evidence to support this can be seen in Ofcom's consumer experience research into disabled people's use of communications (fig. 1 above), which revealed that visually-impaired consumers were substantially less likely than non-disabled consumers to have access to the mobile devices they would need to be able to download such an app. We do not believe that consumers should only have access to a useable EPG if they are able to afford a smartphone or a tablet.

The Extra Costs Commission has published its final report on reducing the extra costs faced by disabled people³. Their over-arching recommendation for regulators and government was *"to intervene where features of markets result in unfair extra costs for disabled people"*. We believe that to do nothing or to require visually-impaired consumers to use an app as a substitute for an integrated speaking EPG would result in unfair extra costs to visually-impaired consumers in accessing services that are already accessible to non-disabled consumers.

We understand that any additional incremental cost to providers should be modest and would not prohibit compliance with any of the proposals Ofcom has made.

Searching for and identifying content

It is disappointing that Ofcom's and broadcasters' efforts in providing Access Services such as audio description are not being exploited as well as they might by the intended audience as people are unable to find relevant programmes easily, or without help from a sighted person. We therefore agree with Ofcom's proposal to urge EPG providers and TV receiver manufacturers to provide a search function or notification of audio-described programming. Additionally, we agree with Ofcom's proposal that programmes with sign language should be highlighted for hearing-impaired consumers.

We also agree that text adjustment or magnification and high contrast displays would benefit visually-impaired, older and dyslexic consumers and agree with Ofcom's proposals, recognising the accessibility guidelines of the W3C Consortium. It is clear from the evidence presented in the consultation document that use of high contrast text at a ratio of 7:1 is already in common use and would not be difficult for providers to implement.

Regulation and 'best endeavours'

We agree that regulation is needed, in order to incentivise EPG providers and TV receiver manufacturers to act promptly to secure an acceptable level of accessibility to visually-impaired consumers.

We note Ofcom's use of the term 'best endeavours' in its proposals, as a preference to a more prescriptive approach. However, providers and Ofcom should be ambitious in tackling challenges and work collaboratively with others in the value chain, so that consumers do not lose out.

³<http://www.scope.org.uk/Get-Involved/Campaigns/Extra-costs/Extra-costs-commission/Full-Report>



Providers should be able to demonstrate concrete examples of 'best endeavours' and to be able to do this they need to know what is expected of them and any legal obligation this term places on them. We would therefore advise Ofcom to define what is meant by 'best endeavours' in this context, to provide clarity both to providers and consumers alike - with timescales. Visually-impaired people's experience of TV should be of the same high quality as anyone else - therefore, the amendments to the EPG Code need to be worded in a way that ensures commitment to prompt implementation, with no excuses and no loss of focus.

Paragraph 9 of the Code, requiring annual reporting, should not be deleted unless an alternative relevant reporting timeframe is inserted. This is particularly pertinent to assess progress towards greater inclusion of accessibility features in more basic TV receivers and the retrofitting of accessibility features in TV receivers that have already been supplied to consumers - both are areas in which we would be keen to see progress. We would also be keen to understand how the impact of such endeavours will be monitored, and by whom.

Ofcom proposes that paragraph 11 - requiring explanations for the acronyms [AD], [S] and [SL] (audio description, subtitling and sign language) - should be removed. We recognise that many people will understand what these abbreviations stand for, but understanding should not be taken for granted - especially where new users of services are concerned. We believe that additional listing sources will become less important as the EPG becomes more accessible and so relying on explanations elsewhere is not ideal. While a service may not be relevant to a particular user, they need to understand what it is before they can choose whether to dismiss it. We would suggest keeping the explanations.

Summary

We strongly support Ofcom's proposals for amendments to the EPG Code. We believe the proposals below will make a significantly positive difference to visually-impaired consumers, with little significant financial impact on EPG providers or TV receiver manufacturers. We agree that:

- the EPG Code should be amended to require EPG providers to use their best endeavours to secure that TTS-enabled EPGs are incorporated in multi-functional TV receivers.
- the EPG Code should be amended to require EPG providers to use their best endeavours to secure that EPGs in multi-functional TV receivers enable users to highlight or list separately programmes with audio description, and with signing.
- the EPG Code should be amended to require EPG providers to use their best endeavours to secure that EPGs in multi-functional TV receivers enable users to adjust the display of EPG information so that it can be magnified or the text enlarged.
- the EPG Code should be amended to require EPG providers to use their best endeavours to secure that EPGs in multi-functional TV receivers include the option of high contrast displays with a minimum contrast ratio of 7:1.

We recommend clearly defining 'best endeavours', adding timescales for monitoring purposes and encouraging progress towards greater inclusion of accessibility features in more basic TV receivers and the retrofitting of accessibility features in TV receivers that have already been supplied to consumers. We support retaining the explanation of the abbreviations of accessibility features [AD],[S] and [SL] within the EPG.