

Ofcom Consultation on Proposed Improvements for People with Visual Impairments

YouView Response to Ofcom

February 2018

YouView welcomes the opportunity to respond to Ofcom's updated consultation ("**Consultation**").

In the following pages YouView has set out its answers to the questions posed by Ofcom in the Consultation.

Please be advised that certain elements of this response ("**Response**") are confidential and as such are highlighted in yellow in the text. As such we would appreciate Ofcom's acknowledgement to treat these aspects of the Response as confidential.

We are happy to elaborate on any points contained within the Response.

Q1 (Accessibility features)

Q1(a) – Do you agree that EPG providers should use reasonable endeavours to secure so far as practicable that their EPGs include options for users to use all or as many as possible of the following accessibility features: (a) ‘text to speech’, (b) ‘filtering or highlighting’, (c) ‘magnification’ and (d) ‘high contrast’ displays (i.e. with a contrast ratio of no less than 7:1)? If not, please explain why you do not agree giving reasons.

- 1.1 With regard to the obligation on EPG providers to use “reasonable endeavours...so far as practicable”, YouView agrees that this is right approach and appreciates Ofcom’s consideration of YouView’s feedback as provided in 2015 in this regard.
- 1.2 With regard to the implementation of accessibility features generally, we believe that it is more appropriate for Ofcom to allow market dynamics to influence and encourage development in this area, rather than mandating any specific requirement(s) as part of the EPG Code.

(a): ‘text to speech’ (“TTS”)

- 1.3 YouView agrees that enhancing an EPG with an audio capability would help make it easier for blind and visually-impaired people to use EPGs for the same purposes as sighted people. However, YouView believes that Ofcom’s focus should be on the wider objective to improve ease of access to EPGs, rather than mandating a particular solution to achieve this objective.
- 1.4 As stated in our response submitted in 2015, we do not believe that it is appropriate for Ofcom to mandate any particular requirement(s) within the EPG code. This is a fast-moving market place where technology is constantly evolving and in this context, intervention by a regulator does not seem appropriate. The fact that the market has not yet developed, such that TTS has been fully adopted, is in itself an indication that such functionality is not currently easy or cost-efficient to develop and/or implement. Ofcom makes the point at paragraph 4.42 of the Consultation that technological barriers for implementing TTS have come down and cites TVOnics and Harvard International as examples of successful TTS implementation within the STB. We would note that neither of these manufacturers are currently supplying new STBs to the market, with TVOnics having gone into administration in 2012.
- 1.5 YouView believes that it is more appropriate for Ofcom to allow market dynamics to influence and encourage development in this area, rather than mandating the requirement as part of the EPG Code.
- 1.6 Specifically requiring the implementation of TTS (or indeed any other specific feature) feels to YouView like a “force-fit” requirement which inevitably will not take into account the changing pace of technology and similarly, could stifle innovation and creativity for accessibility.
- 1.7 YouView as the EPG provider, rather than Ofcom as the regulator, is best-placed to decide on what solution could best deliver the regulator’s required objectives – in this specific case, improved access to content surfaced through the EPG. It might be that

given the pace of innovation and development, TTS as a solution becomes outdated, leaving EPG providers under an obligation to maintain legacy technology on their platforms – when they could be focussing on developing innovative solutions as a means of improving accessibility.

- 1.8 YouView maintains its previous position that given that technology is likely to develop in ways that are not always anticipated, it may be that, even amongst the ageing population, the uptake of smart phones fast out-paces current predictions. Similarly, with regard to the need for a broadband connection, access to the full YouView service requires a broadband connection in any event, so again, we would not anticipate that this would operate as a barrier to entry for users.

(b): 'filtering or highlighting'

- 1.9 With regard to highlighting or listing separately those programmes with audio description and notwithstanding our comments at paragraph 1.2 above, where we receive the corresponding metadata from the content providers, we agree that highlighting these programmes, either via a high-contrast colour, or via an audio highlighter could be a suitable solution.

- 1.10 With regard to providing a filter for those programmes with audio description and notwithstanding our comments at paragraph 1.2 above, where we receive the corresponding metadata from the content providers, we agree that an "AD" filter could be a suitable solution.

(c): 'magnification'

- 1.11 Notwithstanding our comments at paragraph 1.2 above, we agree that providing the ability to adjust the display of EPG information so that it can be magnified or the text enlarged could be a suitable solution.

(d): 'high contrast' displays (i.e. with a contrast ratio of no less than 7:1)

- 1.12 Notwithstanding our comments at paragraph 1.2 above, we agree that high contrast displays can provide a suitable solution for providing an alternative display for those with visual impairments. YouView's high contrast display offers a contrast ratio of 21:1¹, which is the highest contrast possible. We developed this through testing different contrast options with users, with the help of the RNIB.

Q1(b) – Do you agree with the changes to the EPG Code that we propose to make to implement these proposals? If not, please explain why you do not agree giving reasons.

- 1.13 YouView does not agree that the EPG Code should mandate specific requirements for delivering accessibility features. These should be presented as examples rather

¹ 21:1 when the Guide is 'unselected'. When an item on the Guide is 'selected' the ratio becomes 16:1. The ratios have been obtained through using the Paciello Group's contrast analyser: <https://www.paciellogroup.com/resources/contrastanalyser/>

than requirements. We would therefore propose the following revisions to paragraph 8:

“8. EPG providers should use reasonable endeavours to secure as far as practicable that their EPGs provide for increased accessibility for the visually impaired. Examples of features that are designed to achieve this are as follows include options for users to do all or as many as possible of the following:

- a...
- b...
- c...
- d...”

- 1.14 With regard to paragraph 9, YouView does not believe that Ofcom should determine the form of deployment of any features (i.e. within the STB) and accordingly, we would propose the following revisions to paragraph 9:

“9. Ofcom recognises that the process of ~~securing the~~ introducing any accessibility features such as those listed in paragraph 8 is likely to include development work and associated expenditure on the part of EPG providers and potentially also their manufacturing partners. We also recognise that the timeframe for such development work ~~will~~ may also depend on international product development cycles. However, given that each accessibility feature at paragraph 8 has already been provided in some receivers, Ofcom would normally expect ~~EPG providers to work with manufacturers of TV receivers to make all of these accessibility features available in new models of TV receivers commencing development from the introduction of any such features to be introduced with effect from [DATE WHEN CHANGES TO CODE ENTER INTO FORCE] and thereafter in any subsequent models (if relevant), unless the associated estimated costs show that the adoption of any specific accessibility feature would be unduly burdensome.~~”

- 1.15 Please see below for the proposed revisions to paragraph 10 which follow from the above suggested revisions:

“EPG providers are required to produce an annual statement by 30 November each year, of the steps they have taken and plan to take to facilitate the use of their EPGs by disabled people, specifying which the steps they have taken to comply with paragraph 8 above. ~~If an EPG provider has been unable to secure all or any of the objectives set out in paragraph 8 on the grounds of practicability, this annual statement should outline the alternative steps they have taken to increase the accessibility of their EPGs. Ofcom will assess the adequacy of these statements in light of the particular circumstances of each EPG.~~”

Q2 (Rolling out to all TV receivers) – Do you agree that the proposed features should be rolled out on all new models of TV receivers commencing development from when the changes to the EPG Code that we are proposing enter into force and any subsequent models (using reasonable endeavours, so far as practicable)? If not, please explain why you do not agree giving reasons.

- 2.1 YouView does not believe that Ofcom should determine the form of deployment of any features (i.e. within the STB). However, in the event that Ofcom maintains their position on this point, it does make sense to set the timeframe for implementation from when the changes to the EPG Code take effect.

Q3 (Reporting requirement) – Do you agree with our revised proposal to retain and amend paragraph 10 of the current EPG Code, which requires EPG licensees to produce an annual statement regarding accessibility? If not, please explain why you do not agree giving reasons.

3.1 We agree with an annual reporting requirement and please see our proposed revisions to paragraph 10 of the EPG Code as set out at paragraph 1.15 above.

Q.4 (Further changes) – Do you agree with the changes that we propose to make to paragraphs 7, 11 and 13 of the current EPG Code to simplify the Code? If not, please explain why you do not agree giving reasons

4.1 YouView does not have any specific comments on paragraphs 7, 11 or 13 and therefore agrees with the proposed changes. However, with respect to paragraph 7 we would like Ofcom to clarify that it remains open for EPG providers to continue to consult with their preferred disability groups as opposed to any particular groups mandated by Ofcom.

4.2 YouView continues to be open to feedback on ways to further refine our accessibility features for the benefit of our users. We maintain a forum where users are encouraged to make comments on the functionality of our platform. We also have good on-going relationships with key industry organisations and would seek to ensure that these relationships are maintained.