

RNIB's response to Ofcom's Plan of Work 2021/22

About us

RNIB is the largest organisation of blind and partially sighted people in the UK and welcomes this opportunity to respond to the consultation. With blind and partially sighted people at the heart of everything we do, our community of over 33,000 people brings together anyone affected by sight loss. More than three quarters of our Board of Trustees are blind or partially sighted. We support, empower and involve thousands of people affected by sight loss to improve lives and challenge inequalities. We engage with a wide range of politicians, organisations and professionals to achieve full inclusion through improvements to services, incomes, rights and opportunities.

We campaign for the rights of blind and partially sighted people in each of the UK's countries. Our priorities are to:

1. Be there for people losing their sight.
2. Support independent living for blind and partially sighted people.
3. Create a society that is inclusive of blind and partially sighted people's interests and needs.
4. Stop people losing their sight unnecessarily.

RNIB welcomes the opportunity to respond to this consultation. Blind and partially sighted people have expressed a great deal of interest in IoT technology and its potential benefits for them.

Consultation Response

Visibility of Accessibility in the plan

RNIB has worked with Ofcom for many years to improve the lives of blind and partially sighted people by ensuring that they and their needs are taken into account in UK legislation. This is in line with Ofcom's obligations to "advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it" [i] under the Public Sector Equality Duty. It also implements duties set on Ofcom by the Communications Act 2003. It is disappointing however

that the work that Ofcom does with RNIB and other consumer bodies is not more explicitly mentioned in the workplan.

Ofcom refers to working with “...industry, governments, academia and others...”. RNIB understands that ‘others’ in this context includes consumer and advocacy bodies such as ourselves but in terms of consumer protection this group is the most important and deserves to be explicitly mentioned. This is especially true as it is stated in the plan that, “We are seeking to understand, by engaging with technologists in academia and industry internationally, the potential impact of technological innovation on the sectors we regulate, including evolutions of known technologies and radical new technologies.” If innovative technology is not also assessed from an accessibility point of view then this could lead to having to retrofit accessibility, which is expensive, or Ofcom failing to comply with their obligations under the Equality Act which could invite a legal challenge.

Accessibility reporting

Ofcom’s Access and Inclusion Report measures access to and use of communication devices and services for disabled and vulnerable people. Similar data is then reported for general population in Ofcom’s Media Use and Attitude Report. The two reports sit in different areas of the Ofcom website. This is despite the fact that the over 75 age group is reported on by both since many people over the age of 75 will have some form of sensory impairment. One in five people aged 75 and over will be living with sight loss [ii] and others will have hearing impairments.

By reporting on these together, disabled and vulnerable people would no longer be treated as a special case and the need for accessibility would be more visible to businesses looking for market intelligence. This would help Ofcom fulfil their obligations under the Equality Act.

Accessible Gaming

In 2019, RNIB hosted a workshop with end users and gaming experts in the UK to understand the barriers and potential pathways to removing these for the future developments [iii]. Given the interest, RNIB Scotland set up community network which has attracted unprecedented level of interest from young gamers with vision impairments. Still, with the

exception of a tiny minority that have addressed the user requirements of people with disabilities, most games in the top 100 list have remained largely inaccessible for people sensory loss and other disabilities until now. We strongly believe that for comprehensive and long-lasting changes, intervention in the form of legal requirements should be considered.

Legislation from the FCC (Federal Communications Commission), Communications Regular in the United States, has increased the importance of accessibility in the gaming industry [iv] and titles such as “The Last Of Us Part II” have been lauded for their accessibility features. As the largest video games sector in Europe and having contributed over £1.8 billion towards GDP in the year leading to November 2018 [v], the UK gaming industry is an important part of our economy. With gaming accessibility becoming increasingly important worldwide the next Ofcom workplan should include research into the accessibility of gaming and Ofcom should consider what can be done to facilitate and encourage accessibility in video games. With the UK’s strong video games industry and reputation for accessibility, consideration of these matters could play to the UKs strengths and neglect could mean our games designers and producers lose out in a market that places greater value on accessible games.

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i <https://www.legislation.gov.uk/ukpga/2010/15/section/149> last checked 21/01/2021

ii <https://www.rnib.org.uk/nb-online/eye-health-statistics> last checked 21/01/2021

iii <https://www.rnib.org.uk/sight-loss-advice/reading-home-and-leisure/television-radio-and-film/television-radio-and-film-news/accessibility-gaming-workshop> last checked 21/01/2021

iv <https://www.3playmedia.com/blog/the-cvaa-video-game-accessibility/#:~:text=What%20Are%20the%20Requirements%20for,objectives%20outlined%20in%20section%2014.21>. last checked 21/01/2021

v <https://tiga.org/about-tiga-and-our-industry/about-uk-video-games-industry> last checked 21/01/2021