



# Disability Action Plan

For Northern Ireland

Draft Revised Plan for consultation

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## Foreword

The ways in which we communicate with each other, both individually and as a society, have never been more diverse. New communications technologies continue to emerge, providing more choice and opportunity for consumers to access entertainment and information and to interact with each other. But full participation for all is not a given; service providers and manufacturers need to take into account the needs of disabled people.

As the UK's communications regulator, Ofcom has a number of duties designed to ensure disabled people have fair access to electronic communications. These include setting and monitoring targets for television access services (subtitling, audio description and signing) and encouraging the availability of easy to use equipment. In telecommunications we regulate the text relay service, which enables deaf people and hearing people to communicate with each other. We are also working with telecoms providers to make new and existing telecoms services and technology accessible to disabled people.

The independent Ofcom Advisory Committee on Older and Disabled People provides advice to the main Ofcom Board to ensure that Ofcom's policies and practices take into consideration views expressed by older and disabled consumers.

This Disability Action Plan is an important document in that it is a statement of Ofcom's commitment to and proposals for fulfilling the statutory obligations in compliance with Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006). This Act places duties on public authorities, when carrying out their functions in Northern Ireland to have due regard to the need to promote positive attitudes towards disabled people; and to encourage participation by disabled people in public life.

The Plan is also important because it outlines how disability issues can be more effectively mainstreamed within Ofcom, thus ensuring that they are a key consideration in the whole range of policy decision-making within the organisation.

The first Disability Action Plan for Northern Ireland was adopted in June 2007. This proposed Plan has been revised to provide an accessible document with clear, practical action measures, consistent with priorities on disability that Ofcom has accepted throughout the organisation, and which are relevant to disabled people in Northern Ireland.

The document is presented for consultation with disabled groups and individuals in Northern Ireland, to determine if it should be changed to better reflect their concerns before the final version of the revised Disability Action Plan is adopted. We would therefore welcome any comments on the Plan before the end of February 2010.

## Section 1

# Introduction

### 1.1 Ofcom's duties under the Disability Discrimination Act 1995

Section 49A of the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006) requires Ofcom, in carrying out its functions in Northern Ireland, to have due regard to the need:

- to promote positive attitudes towards disabled people; and
- to encourage participation by disabled people in public life.

Under Section 49B of the DDA 1995, Ofcom is also required to submit to the Equality Commission for Northern Ireland a Disability Action Plan showing how it proposes to fulfil these duties in relation to its functions.

Ofcom has already produced an initial Plan in June 2007. It has undertaken to revise this Plan to align its action measures with its equality duties as set out in its (GB) Single Equality Scheme and to present it in a more accessible practical manner. Ofcom hopes, following consultation, to adopt this new Plan in 2010.

Ofcom has already undertaken a programme of communication and training on the disability duties for staff.

### **Publishing the revised Disability Action Plan**

Following consultation and submission of the final version of the revised Disability Action Plan to the Equality Commission, this Plan will be available by contacting:

Lila Truesdale  
Ofcom Northern Ireland  
Landmark House  
The Gasworks  
Ormeau Road  
Belfast  
BT7 2JD

Tel: 028 9041 7510  
Fax: 028 9041 7533  
Text phone: 0300 123 2024  
Email: [lila.truesdale@ofcom.org.uk](mailto:lila.truesdale@ofcom.org.uk)

The revised Disability Action Plan can also be accessed on Ofcom's website at [www.ofcom.org.uk](http://www.ofcom.org.uk)

Ofcom will, through its ongoing work with people with disabilities and people with learning disabilities, find appropriate ways of communicating the Plan. The Plan will be produced in clear print and plain language; will be available in alternative formats on request, including large print, Braille, audio cassette and computer disc. If you want this Plan in an alternative format, please contact the above person to discuss your requirements.

The Plan will be highlighted through press releases, advertisement, mail shots and meeting directly with disability organisations and representative groups.

The Plan will be available in the Irish language upon request. The Plan will also be available in ethnic minority languages upon request.

## **1.2 Implementing the Plan**

Ofcom is committed to implementing effectively the disability duties and this revised Disability Action Plan. It will allocate all necessary resources (in terms of people, time and money) in order to implement effectively this Plan and where appropriate, build objectives and targets relating to the disability duties into corporate and annual operating Plans.

Ofcom will also put appropriate internal arrangements in place to ensure that the disability duties are complied with and this Disability Action Plan effectively implemented. Ofcom will ensure the effective communication of the Plan to colleagues and the necessary training and guidance for staff on the disability duties and the implementation of the Plan.

Ofcom confirms its commitment to submitting an annual report to the Equality Commission on the implementation of this Plan as well as carrying out a five yearly review of the Plan.

Ofcom is committed to consulting with disabled people when implementing and reviewing this Plan.

### **Who is responsible for the Plan?**

All Ofcom colleagues are responsible for implementing this Plan and notes that it contains similar obligations to those which apply through the equality duties in Britain. The Ofcom Board is ultimately responsible for the delivery of the organisation's statutory responsibilities. Its role is to guide the organisation to ensure that its goals are achieved in the most effective and efficient manner.

Members of Ofcom's boards, panels and advisory committees also have a role to play in helping Ofcom to meet its duties under the disability duties.

Day to day responsibility for carrying out policy determined by the Board Members lies with the Chief Executive and he/she will be responsible for the implementation of administrative arrangements to ensure that the disability duties are complied with by Ofcom in carrying out its functions.

The Director of Ofcom Northern Ireland, will be responsible for the operational implementation of the DAP in Northern Ireland.

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Ofcom's Diversity Working Group will also work to ensure that effective action is taken to promote disability equality under these duties and reduce disadvantage in Northern Ireland.

This DAP is a public document and Ofcom will be answerable to the public for delivering the programme set out in the scheme.

### **1.3 Annual reporting**

#### **Annual review and reporting**

Ofcom confirms its ongoing commitment to submit an annual progress report on the implementation of the Disability Action Plan to the Equality Commission. This has already been done for the two years of the operation of the first Plan. As a result of a previous annual review Ofcom has decided to prepare this revised Disability Action Plan to better identify action measures and assess progress through developing organisation-wide targets.

Ofcom will continue to review progress on this revised Plan annually and provide a summary of work for inclusion in its Annual Report. This will include details of the evidence used to monitor performance on discharging these duties, and a summary of what this indicates.

#### **Five year review**

Ofcom is also committed to carrying out a five year review of this Plan, in consultation with the Equality Commission.

### **1.4 Functions**

Ofcom is the regulator for the UK communications industries, with responsibilities across television, radio, telecommunications and wireless communications services. It is independent of Government but accountable to Parliament.

Ofcom's sponsoring Departments of State are the Department for Business, Innovation and Skills and the Department for Culture, Media and Sport. Ofcom in Northern Ireland maintains an appropriate relationship, as a matter of courtesy, with the Department of Enterprise, Trade and Investment and the Department of Culture, Arts and Leisure in the Northern Ireland Executive.

Ofcom was set up, and its powers and duties are provided for, under the Communications Act 2003 ('the Act'). Its principal statutory duty in carrying out its function is to:

- a) further the interests of citizens in relation to electronic communication matters;
- b) further the interests of consumers in relevant markets, where appropriate by promoting competition.

Ofcom's main office is located in London; it has, in addition, National offices in Wales, Scotland and Northern Ireland and a network of field operations colleagues across the UK.

## **Ofcom's duties to promote equality of opportunity**

### Ofcom's general duties

Under the Communications Act 2003 ('the Act'), Ofcom has specific responsibilities for the promotion of disability equality. Under Section 3(4) (i) of 'the Act', in the performance of its duties, Ofcom must have regard to the needs of persons with disabilities, of the elderly and of those on low incomes.

### Employment and training

Under Sections 27 and 337 of 'the Act', Ofcom is required to promote equality of opportunity in employment and training for disabled people, and other equality groups, in television and radio.

### Fair access to services

Under Sections 303, 308 and 310 of 'the Act' Ofcom has duties that cover drawing up a code giving guidance to promote enjoyment of television by people who are deaf, visually impaired or both; ensure the inclusion of assistance for the visually impaired with the teletext service; and draw up a code of practice for electronic programme guides and incorporate Electronic Programme Guide (EPG) features to enable persons with impaired hearing, sight or both to use the service for the same purposes as persons without such disabilities<sup>1.5</sup> public life positions

Ofcom has responsibility over the following public life positions:

### **Ofcom Board**

The Ofcom Board provides strategic direction for Ofcom. The Board consists of up to 10 members including the Chairperson and other non-executive members appointed by the Secretary of State; the Chief Executive and other executive members are appointed from amongst Ofcom's employees.

### **Advisory Committees**

#### Communications Consumer Panel

The Communications Consumer Panel is independent of Ofcom. It was established to advise Ofcom on consumer interests in the markets regulated by Ofcom. It has a specific remit to inform Ofcom on consumer issues, specifically those of people with disabilities, older people, rural customers and those on low income or who are otherwise disadvantaged.

#### Advisory Committee on Older and Disabled People

This is one of Ofcom's five statutory advisory committees. The committee has a direct reporting line to Ofcom's main Board and can advise on issues across Ofcom's remit as well as Ofcom's internal policies and procedures.

#### Advisory Committees for the Nations

Separate advisory committees for the Nations on the whole breadth of its communications responsibilities in Scotland, Wales, Northern Ireland and for the English Regions.

Ofcom Spectrum Advisory Board

Provides Ofcom with independent advice on strategic spectrum management issues.



## Section 2

# Previous measures

Ofcom has already taken a number of measures to promote positive attitudes towards disabled people and encourage their participation in public life as a result of its duties under the Communications Act 2003 and Section 75 of the Northern Ireland Act 1998.

There are two parts to Ofcom's work to promote disability and other equalities issues - the internal aspect ensuring that Ofcom manages diversity effectively across the organisation; and the external aspect promoting fair access to communications and encouraging equal opportunities within the sectors it regulates.

## Communications Act

Under the Communications Act 2003 ('the Act'), Ofcom has legal obligations to promote equality of opportunity that explicitly refer to the needs of disabled citizens and consumers throughout the UK, including Northern Ireland.

Section	Detail
<b>Section 3(4)(i)</b>	<b>General duties of Ofcom</b> Ofcom must have regard, in the performance of its duties, to the needs of people with disabilities, insofar as they are relevant to the circumstances
<b>Section 10</b>	<b>Easily usable equipment</b> Ofcom shall take steps and make arrangements in order to encourage others to secure the development of domestic electronic communications equipment which is capable of being used with ease, and without modification, by the widest possible range of individuals (including those with disabilities)
<b>Section 21</b>	<b>Advisory Committee for Older and Disabled People</b> Ofcom must establish and maintain a committee to provide advice on the interests of disabled and older citizens in relation to communication matters
<b>Section 27</b>	<b>Employment in broadcasting</b> Ofcom should take steps as considered appropriate for promoting the equalisation of opportunities in the employment and training for disabled people in television and radio
<b>Section 303</b>	<b>Television services for the deaf and visually impaired</b> Ofcom has a duty to draw up and from time to time revise and review a code giving guidance to the extent to which television services promote understanding and enjoyment by people who are deaf or hard of hearing; people who are blind or partially sighted; and people with a dual sensory impairment
<b>Section 308</b>	<b>Assistance for the visually impaired with the teletext service</b> In the regulation of the public teletext service, Ofcom should include appropriate conditions to ensure the inclusion of particular features of this service, so that people with disabilities affecting their sight are able to make use of the service
<b>Section 310</b>	<b>Code of practice for electronic programme guides</b> Ofcom has a duty to draw up and from time to time review and revise a code giving guidance as to the practices to be followed in the provision of electronic programme guides. The practices required by the code must also include the incorporation of appropriate features so that people with disabilities affecting their sight or hearing or both are able to make use of such guides and are informed of and are able to use any assistance provided

<b>Section 337</b>	<b>Equal opportunities and training</b> Ofcom shall include appropriate conditions requiring broadcast licence holders to make arrangements for promoting, in relation to employment, the equalisation of opportunities for disabled people
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Outlined below are the key measures which Ofcom has already taken to promote positive attitudes towards disabled people and encourage participation of disabled people in public life.

## Promoting positive attitudes towards disabled people

### Diversity Working Group

The Diversity Working Group (DWG) was established to steer the diversity agenda within Ofcom and assist in managing the organisation's approach to equality and diversity. The group also monitors the implementation of the Diversity Action Plan, which includes activity to promote disability equality.

The DWG consists of colleagues from each Ofcom Group.

### Employers' Forum on Disability

The Employers' Forum on Disability (EFD) is the UK's leading employers' organisation focused on disability as it affects business. The aim of the forum is to make it easier to recruit and retain disabled employees and to serve disabled customers. Ofcom has been a member of the forum since 2004.

Ofcom has joined to the EFD's Disability Standard, enabling it to measure its current performance on disability and what needs to be done to make progress. The standard allows Ofcom to compare its performance against organisations within the communications industry and other employers.

### Equality Scheme for Northern Ireland

Under section 75 of the Northern Ireland Act 1998 (NIA), Ofcom is required to produce an Equality Scheme in relation to its functions in Northern Ireland. Section 75 of the NIA includes an obligation to promote disability equality. In 2005, Ofcom published its Equality Scheme which sets out how the organisation proposes to fulfil its duty to promote equality of opportunity over the next five years until 2010.

## Research

### Media Literacy Audit: Report on media literacy of disabled people

Ofcom has undertaken research which looked at how disabled adults and children throughout the UK access, understand and create electronic communications. In this context, Ofcom's definition of access was much wider than availability or take-up of the platforms. Rather, it focused upon interest, awareness, usage and competence relating to each platform. Understanding relates to how content (such as television and radio programmes, internet websites, or mobile video and text services) is created, funded and regulated.

## **Universal Service Obligation: Deaf and Hearing Impaired Consumers and Text Phone Services**

This presents the findings from a qualitative research into the provision of text relay services for deaf and hearing impaired consumers, conducted by MORI Social Research Institute on behalf of Ofcom.

A text relay service allows text phone users to call phone users (and vice versa) via a third party operator who translates text to speech. Research was commissioned with members of the deaf and hearing impaired communities, in order to develop understanding about the usage of, attitudes towards, and perceived benefits of text phone services.

An independent study (qualitative and quantitative) by Plum Consulting in 2008/09 was conducted into how well the needs of people with hearing impairments in the UK were served by the different types of telecommunications services available to them and the extent to which new relay services might deliver increased benefits.

### **Broadcasters**

Ofcom has a legal duty to ensure that the regulatory regime requires licence holders to encourage the promotion of equality of opportunity for disabled people in employment and training within the broadcasters (including those operating in Northern Ireland) that it regulates. Ofcom encourages broadcasters to monitor their workforces and access to training by disability, gender and race.

### **Equal Opportunities: A Toolkit for Broadcasters**

Ofcom has produced an equal opportunities toolkit for broadcasters to provide guidance on how to promote equality of opportunity and enhance their recruitment activity.

## **Encourage the participation of disabled people in public life**

### **Advisory Committee on Older and Disabled People**

The Advisory Committee on Older and Disabled People (ACOD) advises Ofcom about the interests and opinions of older and disabled people living in the UK. The remit of the Advisory Committee is to:

- seek to identify issues affecting the communications sector of interest to disabled and older people, both collectively as a Committee and individually as Members;
- provide advice to Ofcom about general and specific issues concerning the communications sectors relating to disabled and older people;
- provide advice and comment as required on matters brought to the Committee by Ofcom;
- offer comment, as appropriate, on consultations undertaken by Ofcom;
- where requested by the Content Board, to provide specific advice to that Board on matters relating to television, radio and other content on services regulated by Ofcom;

- when so requested by the Ofcom Board, to provide advice to the Consumer Panel on matters relating to disabled and older people in the communications sector;
- provide Ofcom with advice on matters relating to its responsibilities for the promotion of media literacy affecting disabled and older people; and
- to contribute to Ofcom's Annual Report to ensure this reflects Ofcom's work on issues relating to disabled and older people.

ACOD has twelve members who reflect the diversity of disabled and older people and who have a wide range of expertise and interests across all the areas that Ofcom regulates. ACOD seeks the view of disabled people in Northern Ireland and holds meetings in Northern Ireland on a regular basis.

### **Provision of Television Access Services**

Ofcom commissioned the Provision of Access Services research to provide the first independent and statistically significant data on the numbers of people who could benefit from television access services (subtitling, signing and audio description), and on those actually making use of them. This provided an important input to Ofcom's review of the Code on Television Access Services, which was published at the end of September 2006.

In 2008 Ofcom supported a major awareness campaign to promote Audio Description services (AD) on television programmes. The result was that awareness of AD among visually impaired people went up from 43% to 72%.

In 2009 Ofcom supported (with ITN, Mencap and the Community Channel) a pilot television news review programme aimed at people with learning difficulties. Ofcom's media literacy team has also developed a learning resource 'Switch On' to help people with learning difficulties.

### **Code on Television Access Services**

The Code on Television Access Services sets out the requirements on subtitling, sign language and audio description that apply to television services licensed in accordance with the Communications Act 2003 ('the Act'), the Broadcasting Act 1996, or the Broadcasting Act 1990.

Ofcom requires television service providers to promote awareness of the availability of their television access services to potential users of the services by making available accurate and timely information to electronic programme guide (EPG) operators listing their services, and by providing similar information on their website. Ofcom has imposed corresponding obligations on EPG operators through the code to be made under section 310 of the Act.

### **Universal Service Review**

Universal Service Obligations (USO) ensures that basic fixed line services are available at an affordable price to all citizens and customers across the UK. USO services include: special tariff schemes for low income customers; a connection to the fixed network, which includes functional internet access; reasonable geographic access to public call boxes; and the provision of a text relay service for customers with hearing impairment.

In 2006, Ofcom reviewed USO to ensure that the obligations continue to meet the needs of consumers as demands and technology change, find the right balance between the needs of

vulnerable customers and changing commercial conditions and make sure the benefits of measures reach those who need them by targeting and creating incentives.

The review has a section specific to the needs of disabled consumers. In this section Ofcom concluded that a Stakeholder Advisory Panel for the relay service should be established and an annual Plan and report on the operation of the service published. Ofcom also proposed that other changes to requirements on providers in respect of services for disabled customers should be made. These include extending the scope of customers who can receive bills and contracts in special formats and increasing some accessibility requirements for Public Call Boxes. These changes will require changes to the relevant conditions. Ofcom will propose these changes in a separate consultation document shortly. This document will also address legal issues arising from the dispute raised by providers against BT's increase of the connection charge to BT's Text Direct service.

### **Code on Electronic Programme Guides**

This code requires electronic programme guide (EPG) providers to give appropriate prominence for public service channels; provide the features and information needed to enable EPGs to be used by people with disabilities affecting their sight or hearing or both; and secure fair and effective competition. The EPG Code requires EPG providers to:

- Provide easily accessible information on how to identify programmes broadcast with subtitling, signing and audio description services.
- Provide easily accessible information on how to switch on these services.
- Give 'appropriate prominence' to public service channels such as the BBC, ITV1, Channel 4, S4C, five and teletext and explain their approach to this. As there are different ways which this can be done Ofcom will intervene only if there are complaints, or if it is not content with the way public service channels are displayed;
- Treat channels listed on their EPGs in a fair, reasonable and non-discriminatory way;
- Explain their approach to listing other channels on their EPG, and review this approach from time to time.

Ofcom expects EPG providers to consult disability groups and individuals about the way they meet their obligations under the code, which are set out above.

Ofcom intends to review the Code at intervals of no more than two years, or more frequently if circumstances warrant it. As part of the review, it will consult stakeholders, including EPG providers, broadcasters, and disability groups.

The Code therefore provides a toolkit to broadcasters with practical ways to promote equality of opportunity (including disability equality) in employment and training within their organisations.

### **Engaging with disabled people**

Ofcom is committed to carrying out consultation in a meaningful manner in the development of its disability duties. In doing so Ofcom is keen to bring about change for disabled people and it is therefore focussing on the issue of involvement and participation in preparing and developing this revised Action Plan. It wishes to identify practicable measures that will assist

people in Northern Ireland, which can point to measurable change. It also recognises that action for disabled people throughout the UK on issues of general concern is most likely to have a significant impact on disabled people who live in Northern Ireland.

Ofcom has worked with its Advisory Committee on Older and Disabled People and engaged with disabled consumers through organising involvement sessions in Belfast.

Ofcom is committed to working with Disability Action, Belfast to ensure that involvement sessions are designed to include disabled people in assisting Ofcom by:

- identifying barriers faced by disabled people in accessing electronic communications and participating in public life in and any barriers they have encountered in relation to their dealings with Ofcom
- identifying circumstances in the past in which Ofcom had not promoted positive attitudes towards disabled people and by identifying opportunities in the future for the Ofcom to promote such attitudes
- setting priorities and identifying solutions as regards the taking of remedial action
- monitoring and reviewing the effectiveness of measures taken

Ofcom NI also organised an all Colleagues Deaf Awareness Day, which was run by John Carberry (who is registered deaf). It was involved in the NI Digital Inclusion Steering Group which had a focus group focusing on disability issues and held joint Advisory Committee for Northern Ireland and ACOD meetings in Belfast.

Ofcom has already invited and will in future invite the following organisations to discuss their involvement in the development of its Disability Duties:

- Cedar Foundation
- Disability Action
- NI Association of Mental Health
- Mencap
- PHAB (NI)
- Royal National Institute for the Blind
- Royal National Institute for the Deaf

Ofcom will place press advertisements in local papers to invite disabled consumers views on the priorities set out in this Plan. In addition the draft revised Plan will be placed on our website.

Ofcom believes it is important that disabled people are involved in the implementation, monitoring and review of the Plan. Section 3 of this document lays out the actions Ofcom intends to implement.

Ofcom believes that by hosting an involvement session annually that this will allow for a two-way discussion; giving disabled people an opportunity to provide feedback in a constructive manner, as to how the disability duties are being implemented. In 2009 this has been

matched with a session for ACOD in Belfast to increase participation. Prior to the revision of the Plan Ofcom will allow adequate time for groups and individuals to consult amongst themselves as part of the process of forming a view on the implementation of this scheme.

For all meetings, different formats and facilities will be available for disabled participants on request. For example, interpreters are provided at meetings and Braille, CD or audiotape copies of meeting papers and consultation documents are provided, where these are requested.

### Section 3

## Action measures

This action Plan outlines the action measures on equality for disabled people in Northern Ireland as they relate to Ofcom's role as the UK's electronic communications regulator and as an employer in Northern Ireland. The priorities identified during the involvement process are aligned to Ofcom's objectives and activities identified in its Single Equality Scheme to ensure that actions to address disability equality are part of an organisation-wide commitment.

Progress on the disability action Plan will be reviewed and reported annually. Ofcom will monitor the actions that have been identified for each year; what has been achieved and where there has been slippage or no progress has been made, understand the reasons for this and revise timescales. This revised Disability Action Plan will make it easier to undertake this work on an organisation-wide basis. New actions might be included depending on developments within the electronics communication industry and any changes in priorities that might be identified subsequent to the publication of this action Plan.

For further information on the DAP priority areas, please go to annex 1 of this document.

<b>Disability duty: Encourage participation of disabled people in public life</b>			
<b>Objective</b>	<b>Activity</b>	<b>Outcome</b>	<b>Year</b>
<b>1. Make sure that disabled people in Northern Ireland are aware of the range of ways in which they can contact Ofcom in Northern Ireland</b>	Prepare and disseminate information leaflet on accessibility for disabled people in Northern Ireland who wish to use Ofcom's services – on site, at venues, online, by phone, text, fax.	Disabled people in Northern Ireland are aware of the work of Ofcom	2010-2011
<b>2. Ensure Ofcom's website meets accessibility standards</b>	Assign a member of Ofcom's web team to make sure the website meets current accessibility standards by advising on improvements needed at relevant accessibility seminars.	Everything published on the Ofcom website is accessible	2010- 2011



<p><b>3. Make sure that disabled people and the public at large are aware that Ofcom is keen to ensure its committees are informed by representatives from across the community, including disabled people.</b></p>	<p>Use of welcoming statement for people with disabilities in advertisements in Northern Ireland for membership of Ofcom’s advisory groups</p>	<p>Ofcom increases the number of applicants from disabled people</p>	<p>2010 - 2013</p>
<p><b>4. Ensure that TV Channels are meeting the affordability and audience share criteria, laid out in the Access Services Code, provide access services (subtitling, signing and audio description) in line with their obligations .</b></p>	<p>Conduct annual assessments of audience share and revenue data to determine which channels are obliged to provide access services.                      Notify broadcasters of their obligations for the following year.                      Publish quarterly data on the broadcasters’ delivery of access services</p>	<p>People with hearing and visual impairment have better access to TV programmes</p>	<p>2010 - 2013</p>
<p><b>5. Evaluate the existing text relay service which enables hearing and speech impaired people to use the telephone</b></p>	<p>Support the national trial of an emergency text service for disabled consumers</p>	<p>Greater participation by disabled people in using services</p>	<p>2010 - 2013</p>
<p><b>6. Publish research to widen awareness and understanding</b></p>	<p>Publish research into consumers’ motor skills and how they manage with communications technologies</p>	<p>Diversity information is available to be used across a wider audience</p>	<p>2010 - 2011</p>

<p><b>7. Publish research to widen awareness and understanding</b></p>	<p>Publish occasional reports on the levels of media literacy among people with disabilities</p>	<p>Diversity information is available to be used across a wider audience</p>	<p>2010 – 2012</p>
<p><b>8. To enhance awareness of people with learning disabilities and those working with them of support on media related issues</b></p>	<p>Promote in Northern Ireland ‘Switch On’ – a resource for practitioners working with people with learning disabilities together with its partners – Mencap</p>	<p>Increased participation of hard to reach groups affected by media issues</p>	<p>2010 – 2013</p>
<p><b>9. Encourage broadcasters to create equal opportunities for everyone they employ, including freelancers, regardless of disability by working with Ofcom’s co-regulator, the Broadcasting Training and Skills Regulator</b></p>	<p>Make sure that the Broadcasting Training and Skills Regulator:</p> <ul style="list-style-type: none"> <li>- produces a report on broadcasters’ equal opportunities arrangements (based on information provided to Ofcom)</li> <li>- develops a system to evaluate the broadcasters’ equal opportunities arrangements, and assess the industries progress; and</li> <li>- provides guidance on how to improve</li> </ul>	<p>Increased participation of disabled people in broadcasting</p>	<p>2010 – 2013</p>
<p><b>Disability duty: Promote positive attitudes towards disabled people</b></p>			
<p><b>10. Ensure all staff are aware of all the equality duties in relation to disability and its relevance to their day to day work</b></p>	<p>Roll out piloted and revised Disability Awareness training to all staff</p>	<p>All staff are aware of their responsibilities to all communities throughout its area of operation</p>	<p>2010 – 2011</p>
<p><b>11. Ensure Ofcom’s published material</b></p>	<p>Where Ofcom uses photos or video clips</p>	<p>A positive portrayal of disabled</p>	

<b>reflects diversity in society</b>	ensure diversity groups are represented	people and inclusive publications	2010-2011
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## Annex 1

# Ofcom's disability equality priorities

After discussions with, and research amongst disabled people in Belfast and the rest of the UK, as well as colleagues at Ofcom, Ofcom has identified several key priorities.

## Access

There are issues around access to communications for disabled people, particularly with regard to the universal service review in telecoms and access to television, especially the preparations for digital switchover.

In the run up to digital switchover, the delivery of access services over digital platforms remains a potential area of concern. Disabled people need to receive timely advice on accessible digital equipment and support during the switchover process.

Audio description and subtitling are the key ways in which people with visual or hearing impairments can access television. In its Code on Television Access Services, Ofcom has stated that it expects broadcasters to use reasonable endeavours to ensure that the subtitling, signing and audio description accompanying the programmes included in their services is made available to the greatest number of viewers.

The accessibility of electronic programme guides (EPGS) to blind people and those with visual impairments is an ongoing issue. Ofcom's work on electronic programme guides will ensure statutory obligations on accessibility features for people with hearing and visual impairments are effectively implemented.

Access to communications services can be particularly difficult for those on low incomes, which includes a disproportionate number of disabled people. As a consequence, sections of society risk being excluded from accessing certain services based largely on their cost.

According to the Broadcasting and Creative Industries Disability Network, there is also a growing desire among disabled people to access the media - in studio audiences, in creative roles such as acting, writing and directing, as game show contestants and as programme contributors as well as in corporate positions such as in accounting, legal services, marketing and senior management.

## Equipment

The design of equipment and its ease of use is an issue of particular importance affecting disabled people's access to electronic communications. Equipment can sometimes create barriers to participation by disabled people. For example, many of the latest mobile phones are not compatible with induction loops and do not come with text phone software as standard; some digital television receiver boxes may be harder to set up than others and may not be compatible with disability access services provided by broadcasters.

Ofcom has a duty under the Communications Act to take steps and make arrangements that encourage the design and development of communications equipment that are easy for the widest range of consumers (including disabled people) to use. Ofcom is already engaged in a wide range of activities including research into the usability of digital television receiver equipment. The report includes good practice design checklists for easy to use and easy to set-up domestic digital television equipment.

## Media literacy

Electronic communications networks play a central role in daily life. They underpin all businesses and are central to the workings of a modern democracy. Ofcom's definition of media literacy, developed after formal consultation with stakeholders, is 'the ability to access, understand and create communications in a variety of contexts'. Media literacy gives people the confidence and knowledge to get the most out of the many media platforms that now exist.

When compared to all adults, disabled people have lower levels of competence in using electronic media. The greatest difference in levels of competence relates to the internet, where the measure for adults with a disability is at 68% of the maximum potential, compared to 76% for the wider population.

Relatively few mobile phone owners with a disability - 15% - demonstrate knowledge of the content controls available on the most recent mobile phones. This measure is at almost the same level all mobile phone owners, with only 17% aware of the availability of these relatively new controls.

The measures relating to content creation are internet and PC-based. Current levels of content creation amongst disabled people aged under 65 with internet access are low, at 10% of the maximum potential. This measure is lower than that of the equivalent age group of all UK adults with internet access (15%).

Ofcom will work with stakeholders to help focus on the present and future media literacy needs of all members of society. There are many stakeholders who have a key role to play in the promotion of media literacy skills, knowledge and understanding in both adults and children. These include content producers, broadcasters, platform and network providers, educators, Government departments, parents, children's charities and other organisations. Ofcom's principal role will be to help provide leadership and leverage in the promotion of media literacy.

## Content and standards

The way disabled people are portrayed in broadcast media is a significant influencing factor in determining public attitudes towards disabled individuals, how disabled people feel about themselves and whether they feel included in society.

Advisory Committee for Older and Disabled has raised concerns about the portrayal (or lack) of disabled people on radio and television. Furthermore, the committee felt that people with learning disabilities and those with mental health issues are particularly subject to negative portrayal in broadcast media when they do appear.

According to Ofcom's research<sup>1</sup>, perceived hurdles to inclusion include society's attitudinal bias towards physical attractiveness, leading to the rejection of groups with disabilities. Findings indicate that 46% of those who reported negative attitudes towards disabled people had their view influenced by what they had seen on television.

Use of derogatory terms for disabled people can amount to a breach of the Ofcom Broadcasting Code. Ofcom will continue to enforce content regulation rules regarding the portrayal of disabled people on television and radio. It will ensure that that generally accepted standards are applied to the content of TV and radio services so as to provide

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<sup>1</sup> The Representation and Portrayal of Disabled People With Disabilities on Analogue Terrestrial Television, Ofcom, 2005

adequate protection for members of the public from the inclusion of offensive and harmful material.

### **Information services and complaints**

One of the barriers for disabled people accessing Ofcom's services can be a lack of clear and appropriate information. All citizens and consumers have the right to access and understand full, accurate and timely information. The provision of appropriate communication support to users of public services is an issue of equality of opportunity. It helps remove discriminatory barriers to full participation in society.

In addition to its spectrum management responsibilities, one of Ofcom's main public roles is the investigation of complaints about television, radio and telecommunications provision. To deliver this service effectively Ofcom needs to ensure that it provides information in a manner which is accessible to the UK public, including disabled citizens.

### **Participation and consultation**

Ofcom's statutory committees and boards have relatively limited disability representation when compared to the working population at large. In order to ensure the needs and concerns of disabled consumers fully inform its decision making process, Ofcom is actively seeking to recruit further disabled members to these committees and boards.

Ofcom understands that disabled people may have taken a different education path or had career breaks, which represent a career profile different from the norm. Ofcom will take this into account when selecting disabled members to its committees and boards.

In developing policy that may affect disabled people, Ofcom has a duty to engage and consult with this community. Ofcom carries out periodic wider consultation with disability consumer groups on issues of concern to them.

### **Employment and training in the communications industry**

Disabled people continue to face disadvantage and discrimination in employment. In 2005, the employment rate of disabled people was 47%, compared to 75% for wider UK society<sup>2</sup>. Research indicates that disabled people of all ages are significantly under-represented in the media workforce either as part of the programme-making process or in other roles.

For disabled people with associated health issues there might be difficulties in accessing employment opportunities because of gaps in their employment history. Many disabled people do not have conventional career paths and this can be detrimental to their efforts to secure employment.

The Workforce Census conducted by Skillset<sup>3</sup> in 2004 of 2,878 companies in the sector indicated that only 1.3% of people working in broadcasting are disabled (this represents a slight increase from 1% in 2002). The 2005 Skillset Survey of 7,000 individuals working in the audio visual industries (both employees and freelancers) also indicated that employers underestimate the number of disabled people, since 5% of this workforce reported having a disability<sup>4</sup>.

<sup>2</sup> Public Service Agreements 8b and c, Department for Work and Pensions, 2006

<sup>3</sup> The Workforce Census, Skillset, 2004

<sup>4</sup> Workforce Survey, Skillset, 2005

## Annex 2

# How to contact Ofcom

If you are a consumer, viewer or listener and you want to complain to Ofcom, you can make contact through the website at **[www.ofcom.org.uk](http://www.ofcom.org.uk)**.

You can also contact Ofcom by phone between 9:00am and 5:00pm, Monday to Friday. The number for the Ofcom Contact Centre is **0300 123 3333**

If you are deaf or speech-impaired, you can use the Text phone number **0300 123 2024**. Please note that this number only works with special equipment used by people who are deaf or hard of hearing.

The fax number is **020 7981 3333**

Ofcom handles complaints about the following:

- Problems with your landline phone
  - Phone bill, tariff and contract issues
  - Privacy issues - nuisance and sales calls
  - Customer service issues
  - Problems or delays with repairs
- Problems with your mobile phone
  - Phone bill, tariff and contract issues
  - Privacy issues - nuisance and sales calls
  - Customer service issues
- Problems with your internet service
  - Internet service bill & contract issues
  - Privacy issues - spam emails
  - Customer service issues
  - Problems switching between internet service providers
  - Quality of internet service - e.g. speed
- Programmes on TV/radio
  - A specific programme
  - Subtitling, signing or audio description

- Scheduling
- Advertising and sponsorship on TV/radio
  - A specific advert
  - Sponsorship and product placement
- Digital TV/radio availability
- TV/radio interference and reception
  - TV interference or reception problems
  - Radio interference/reception problems
  - Interference to Ofcom radio communications licensed services
  - Digital TV/radio availability
- Complaints about Ofcom
  - Ofcom does its best to meet the needs of businesses, consumers, viewers and listeners. However, sometimes things can go wrong - or Ofcom can fall short of its own standards. A complaint about Ofcom can be made through the website or by phoning the Contact Centre.

### **Important note about Data Protection**

Ofcom complies with the Data Protection Act. If you are making a complaint Ofcom may pass on your details, as appropriate, for the purposes of dealing with your complaint.



## Annex 3

# Ofcom's consultation principles

Ofcom has published the following seven principles that it will follow for each public written consultation:

### **Before the consultation**

Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

### **During the consultation**

We will be clear about who we are consulting, why, on what questions and for how long.

We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened version for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.

We will normally allow ten weeks for responses to consultations on issues of general interest.

There will be a person within Ofcom who will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organizations interested in the outcome of our decisions. This individual (who we call the consultation champion) will also be the main person to contact with views on the way we run our consultations.

If we are not able to follow one of these principles, we will explain why. This may be because a particular issue is urgent. If we need to reduce the amount of time we have set aside for a consultation, we will let those concerned know beforehand that this is a 'red flag consultation' which needs their urgent attention.

### **After the consultation**

We will look at each response carefully and with an open mind. We will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

## Annex 4

# Responding to this consultation

## How to respond

Ofcom invites written views and comments on the issues raised in this document, to be made by 5pm on 28 February 2010.

Responses may be posted or faxed or emailed to the address below, marked with the title of the consultation.

Lila Truesdale  
Ofcom Northern Ireland  
Landmark House  
The Gasworks  
Ormeau Road  
Belfast  
BT7 2JD

Tel: 028 9041 7510  
Fax: 028 9041 7533  
Email: [lila.truesdale@ofcom.org.uk](mailto:lila.truesdale@ofcom.org.uk)

**Note that we do not need a hard copy in addition to an electronic version.**

## Confidentiality

We believe it is important for everyone interested in an issue to see the views expressed by consultation respondents. We may therefore publish responses on our website, [www.ofcom.org.uk](http://www.ofcom.org.uk). If you think your response should be kept confidential, can you please specify what part or whether all of your response should be kept confidential, and specify why.

If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.

Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/account/disclaimer/>

## Ofcom's consultation processes

Ofcom seeks to ensure that responding to a consultation is as easy as possible. For more information please see our consultation principles in Annex 3.

If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk). We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.

If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash  
Ofcom  
Sutherland House  
149 St. Vincent Street  
Glasgow G2 5NW

Tel: 0141 229 7401  
Fax: 0141 229 7433

Email [vicki.nash@ofcom.org.uk](mailto:vicki.nash@ofcom.org.uk)

Please note that you can register to receive free mail Updates alerting you to the publications of relevant Ofcom documents. For more details please see: [http://www.ofcom.org.uk/static/subscribe/select\\_list.htm](http://www.ofcom.org.uk/static/subscribe/select_list.htm)