

# **Ofcom Consultation Response to: Proposals for the regulation of video on demand services**

## ***Comments from the Royal National Institute of Blind People (RNIB)***

The Royal National Institute of Blind People (RNIB) welcomes the Ofcom consultation for the proposals for the regulation of video on demand services and the opportunity to submit comments to this consultation.

Access to television, the information and entertainment it provides, is vital for the inclusion of disabled people and indeed all people in society. RNIB is therefore taking this opportunity to respond to the consultation in the interests of helping to ensure that video on demand services are accessible through audio description, subtitling and signing not just for linear TV viewing but also for the increasingly important video on demand services.

RNIB is the leading organisation representing the needs and interests of the two million people in the UK with a sight problem. We work directly and indirectly with blind and partially sighted people, representative organisations, visual impairment professionals, national and local government, the broadcasting and telecoms sector, and a range of public and private organisations.

The majority of blind and partially sighted people are over the age of 65. Sight loss (along with hearing loss and certain other disabilities) is for many people related to ageing. As forecasting indicates that older people will be in the majority by the year 2025, inevitably the number of blind and partially sighted people will increase.

Blind and partially sighted people rely on and want to use television as much as, and in some cases more, than their sighted peers. What is more, audio description on television can be empowering for blind people.

## Question 8

**8a) Do our proposals, as outlined in Sections 4, 5 and 6 concerning: draft Scope Guidance; delegation of functions relating to notification; and the implementation of a new co-regulatory regime for VOD editorial content and VOD advertising have any likely impacts in relation to matters of equality, specifically to gender, disability or ethnicity?**

RNIB feels that the draft scope guidance, the delegation of functions of notification, the new co-regulatory regime for VOD editorial content and VOD advertising will not have any additional impact on blind and partially sighted people.

**8b) Do you agree with our proposal to retain the Access Duty in relation to VOD?**

RNIB welcomes the proposal by Ofcom to retain the Access Duty for the provision of access services in relation to VOD.

The provision of audio description on television services enables blind and partially sighted viewers to follow the content to the same level as every other viewer. Comments received from audio description users by RNIB and the broadcasters demonstrate this.

RNIB has concerns that this proposal states that the regulator will "encourage VOD service providers to ensure that their services are gradually made accessible to people with sight or hearing disabilities". Experience so far shows that the encouragement of providers to provide audio description, subtitling and signing will not guarantee that access for disabled people to the service is provided. For example all broadcasters have been encouraged by RNIB to provide audio description with their watch-again on-line services, but only BBC I-player has delivered, and even then after a long period of delay. Unless this is mandatory in the VOD regulation the equality of access for disabled people through audio description, signing and subtitling will not materialise.

RNIB would also like the VOD regulation to set out timescales for the achievement of the provision of access services by VOD providers.

RNIB welcomes the recent availability of audio description on the BBC i-player and would like to see more VOD services provide this service.

**c) Are there any other possible equality impacts that we have not considered?**

**Website Accessibility**

When VOD services are provided on the internet, RNIB has concerns as to the accessibility of the websites that these services are provided on, for people using access technologies (such as magnification and screen reading software) on the device used for surfing the web.

Blind and partially sighted people, as well as other older and disabled people, are often not able to fully access these websites due to their design. RNIB would like to suggest that the regulation from Ofcom for VOD services also includes specific mention to these VOD services being provided on accessible websites that meet recognised international web accessibility standards.

**Equipment provided for VOD as part of a TV viewing contract**

Ofcom has a duty to inform, disseminate best practice and facilitate change on the issue of equipment accessibility. Too often inaccessible equipment, that assumes that the user can read on-screen information without providing a voiced alternative, is the main barrier to uptake of services by blind and partially sighted people. RNIB would appreciate further Ofcom involvement in influencing others to ensure the availability of usable equipment, in line with its duties.

RNIB also believes that the Ofcom obligations regarding equipment accessibility (section 10, Communications Act) need to be strengthened, as the current duty on Ofcom to "encourage others to secure" is not leading to significant tangible improvements for blind and partially sighted people, and the duty needs to be strengthened to give Ofcom real powers where equipment is provided as part of a service. Ofcom should ask the government to expand its section 10 duty so that it can require

accessibility of equipment that is provided as part of a service contract.

## **About RNIB**

We are a membership organisation with over 10,000 members who are blind, partially sighted or the friends and family of people with sight loss. 80 per cent of our Trustees and Assembly Members are blind or partially sighted. We encourage members to be involved in our work and regularly consult with them on government policy and their ideas for change.

We provide expert knowledge to business and the public sector through consultancy on improving the accessibility of the built environment, technology, products and services.

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### **For further information contact**

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