

The logo for The Authority for Television On Demand (ATVOD) consists of the letters 'ATVOD' in a bold, white, sans-serif font, centered within a solid black rectangular background.

**ATVOD**

THE AUTHORITY FOR TELEVISION **ON DEMAND**

---

**Video On Demand  
Access services:  
Interim guidance for  
service providers**

Published 31 March 2011

## Background

The Authority for Television On Demand (“ATVOD”) was designated by Ofcom on 18 March 2010 as the appropriate regulatory authority for editorial content made available in On-Demand Programme Services.

The duties of the appropriate regulatory authority for On Demand Programme Services are set out in Section 368C of the Communications Act 2003 and include the following duty with respect to access services:

*“The appropriate regulatory authority must encourage providers of on-demand programme services to ensure that their services are progressively made more accessible to people with disabilities affecting their sight or hearing or both.”*

This duty is confirmed under Paragraph 5(v) and Paragraph 7(xx) of the Ofcom Designation, and in accordance with Paragraph 7(xx) of that Designation, ATVOD produced an ‘Access Services’ plan by 30 June 2010 for approval by Ofcom. A final version of the plan was published on 18 February 2011

## Forms of Access Services

Access services can take the following forms with respect to video on demand programmes:

- Signing for deaf people and those with partial hearing; or
- Subtitling for deaf people and those with partial hearing; or
- Audio description for people who are blind or partially sighted

## Encouraging the provision of access services

In the UK one in seven of the population, or nearly 9 million people, have a hearing loss. Approximately 2 million people have some degree of sight loss. With an ageing population, this number is only set to increase. Access to TV-like programmes is a central part of the common cultural life of many people in the UK, and the ability to enjoy TV-like programmes is as important to people with disabilities relating to sight or hearing as it is to those without such disabilities. ATVOD therefore encourages providers of video on demand services to ensure that their services are progressively made more accessible to the millions of people with disabilities affecting their sight or hearing or both. This can be achieved through providing increasing numbers of programmes with access services.

ATVOD recognises that the ability of video on demand service providers to provide access services will depend on the resources available to them. This is particularly true at the current time, when such services are in their infancy and are generating, in many cases, only modest revenues. ATVOD also recognises that even where access services have been provided in relation to a programme broadcast on television, there may be significant additional costs in providing access services when that programme is subsequently made available on a video on demand service. ATVOD therefore considers it reasonable to expect large scale service providers to take a lead in demonstrating best practice in the area and encourages such providers to do so.

As part of this process of encouragement, ATVOD reminds service providers that provision of access services may assist in demonstrating that they have made 'reasonable adjustments' in relation to the provision of services to people with disabilities as required by the Equality Act 2010 and (in relation to Northern Ireland) the Disability Discrimination Act 1995.

## Current levels of provision

In accordance with the Access Services plan, in due course ATVOD intends to publish information on which service providers are providing access services. Our intention is that this information will identify which specific access services are being offered on which services, and will indicate in each case the extent of that provision.

All service providers are therefore encouraged to provide ATVOD with relevant details of the access services provided on their On Demand Programme Services by completing and returning the questionnaire published in word format on the ATVOD website ([www.atvod.co.uk/regulated-services](http://www.atvod.co.uk/regulated-services)) and attached to this guidance as Annexe 1. Doing so will enable ATVOD to publicise on its website the providers who are currently making their services accessible to people with disabilities relating to hearing or sight or both.

The questionnaire should be returned by 31 July 2011. ATVOD intends to publish the results by 31 October 2011.

## Annexe 1

### Access Services- Public Information Questionnaire

As part of ATVOD's duty to encourage service providers to ensure that their services are made progressively more accessible to people with disabilities relating to their sight or hearing or both, and in accordance with ATVOD's Access Services plan published on 18 February, we are inviting all providers of On Demand Programme Services ("ODPS") to provide details of the current level of provision of such access services on their ODPS.

**The information provided will be published on the ATVOD website** in order to enable stakeholders, including people with relevant disabilities, to identify which specific access services were being offered on which services, and to indicate in each case the scale of provision of each type of access service.

For the avoidance of doubt, this is not a demand for information under section 368O of the Communications Act 2003, but an invitation to provide information to assist ATVOD in the performance of its duties with regards to Access Services.

If you provide more than one ODPS, please complete a separate questionnaire for each one.

### Respondent details

Name of ODPS:

ODPS reference number:

Contact name: [Not for publication]

Contact email: [Not for publication]

Contact phone number: [Not for publication]

### Part A

#### Services for users with disabilities relating to hearing

Q A1. Do you provide access services for users with disabilities relating to hearing on this ODPS?

Q A2. Do these access services take the form of:

Subtitles?

Signing?

Other (please specify)?

- Q A3. What is the total number of hours of programming made available on this ODPS with subtitles?
- Q A4. What is the proportion of total hours of programming made available on this ODPS with subtitles?
- Q A5. What is the total number of programmes made available on this ODPS with subtitles?
- Q A6. What is the proportion of the total number of programmes made available on this ODPS with subtitles?
- Q A7. What are your plans for providing programmes with subtitles in the future (eg date on which you intend to begin provision, or timetable for increasing current scale of provision)?
- Q A8. What is the total number of hours of programming made available on this ODPS with signing?
- Q A9. What is the proportion of total hours of programming made available on this ODPS with signing?
- Q A10. What is the total number of programmes made available on this ODPS with signing?
- Q A11. What is the proportion of the total number of programmes made available on this ODPS with signing?
- Q A12. What are your plans for providing programmes with signing in the future (eg date on which you intend to begin provision, or timetable for increasing current scale of provision)?

## Part B

### Services for users with disabilities relating to sight

- Q B1. Do you provide access services for users with disabilities relating to sight on this ODPS?

Q B2. Do these access services take the form of:

Audio description?

Other (please specify)?

Q B3. What is the total number of hours of programming made available on this ODPS with audio description?

Q B4. What is the proportion of total hours of programming made available on this ODPS with audio description?

Q B5. What is the number of programmes made available on this ODPS with audio description?

Q B6. What is the proportion of the total number of programmes made available with audio description?

Q B7. What are your plans for providing programmes with audio description in the future (eg date on which you intend to begin provision, or timetable for increasing current scale of provision)?

## Part C

### Platforms providing access to third party ODPS

***This section should only be completed if you operate a platform which provides access to one or more ODPS provided by a third party.***

Although such platforms do not fall under ATVOD's regulatory remit, their role in enabling access services on ODPS is of great importance and we therefore invite responses to the following questions:

Q C1. Does the platform you operate currently enable third party ODPS providers to provide access services for users with disabilities relating to hearing?

Q C2. Do the access services for users with disabilities relating to hearing supported by your platform take the form of:

Subtitles?

Signing?

Other (please specify)?

Q C3. What are your plans for enabling third party ODPS providers to provide access services for users with disabilities relating to hearing in future (eg date on which you intend to begin enabling provision, or timetable for improving the current capability)?

Q C4. Does the platform you operate currently enable third party ODPS providers to provide access services for users with disabilities relating to sight?

Q C5. Do the access services for users with disabilities relating to sight supported by your platform take the form of:

Audio description?

Other (please specify)?

Q C6. What are your plans for enabling third party ODPS providers to provide access services for users with disabilities relating to sight in future (eg date on which you intend to begin enabling provision, or timetable for improving the current capability)?

Q C7 If you currently enable, or have plans to enable access services in relation to the ODPS available on your platform, please give a brief description of the technical means by which these services are or will be enabled.

**NB. By returning this form you accept that ATVOD may publish on its website the information provided.**

Please return completed questionnaire by soft copy to: [contact@atvod.co.uk](mailto:contact@atvod.co.uk)

or by hard copy to

Public Information Questionnaire (Access Services), ATVOD, Thames Court, 1Victoria Street, Windsor, SL4 1YB

**Closing date for responses: 31 July 2011**

Thank you for responding to this questionnaire. The information you have provided will assist us performing our duty to encourage service providers to ensure that their services are made progressively more accessible to people with disabilities relating to their sight or hearing or both.