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Annwyl Delyth

Future of public service broadcasting in Wales

Thank you for your letter following our evidence session on January 22 on the Future of Public Service Broadcasting. We note the Committee's recommendations and welcome this opportunity to respond.

Regulatory Context

Ensuring audiences in Wales, as well as across the UK, continue to access a variety of broadcast and on-demand media while being protected from harmful content, is a key priority for Ofcom. As people increasingly move online for entertainment and information, we want to ensure that they can access trusted, duly accurate and duly impartial broadcast news.

We also recognise the vital role public service broadcasting plays in the creative economy in Wales and our priority is also about ensuring the right regulatory approach to support a thriving creative industry that drives innovation and growth in Wales, and across the UK, to meet the changing needs of viewers and listeners.

Recommendation 1 Ofcom should use both its regulatory levers and substantial influence to improve the provision of media content in Wales

Ofcom has a duty to regularly review whether the Public Service Broadcasters (PSBs) have, taken together, fulfilled their purposes, including that they reflect communities and culture from different parts of the UK, and consider how public service television can be maintained and strengthened in the future.

Following our latest review, our letter to the committee on 6 January 2026 set out six main outcomes industry, UK Government and Ofcom should work towards at pace to maintain and strengthen Public Service Media in Wales and across the UK.

Our letter also updated the Committee on progress made in implementing our new duties under the Media Act 2024, including the new prominence regime. We are now considering the responses we have received from all stakeholders in Wales to our draft guidance and code of practice on greater prominence and accessibility on connected TV platforms.

Additionally, since our oral evidence session, we are assessing the materiality of proposed changes by BBC and S4C to the specific partnership arrangements between them that would provide greater prominence for S4C programming on BBC iPlayer, if approved.

We are reviewing the responses to our call for input on the future of broadcast regulation which closed at the end of January, and which sought stakeholder views on how broadcasting rules should evolve—particularly around licensing, advertising and content standards—in light of the Media Act and wider market change.

We are progressing our research programme designed to help us better understand the scale of change required for PSB news and children’s content to be more easily seen and found on large video platforms like YouTube.

We have published our final recommendations to the Secretary of State on which voice assistant platforms should be designated as “regulated radio selection services”. The new regime is intended to ensure that UK radio stations remain free, accessible, and easy to find on the platforms audiences now use most. We are aiming to consult on the Code of Practice in the coming months.

Finally, we are supporting the UK Government with evidence, ahead of an expected decision on the future of TV distribution. Taken together we believe these steps will help improve media content in Wales.

Recommendation 2: Ofcom should provide current staffing levels for its offices across the UK and explain how the seniority of staff in Wales compares with other offices across the UK. It should provide the median pay for its Cardiff office, and how this compares with the UK Ofcom median pay.

Recommendation 3: Ofcom should increase its number of employees in Wales.

The Communications Act 2003 requires Ofcom to establish and maintain offices in England, Wales, Scotland, and Northern Ireland. In Wales, Ofcom has an office located in Cardiff. It is led by a Director of Nations who is supported by a Regulatory Affairs team to represent Welsh interests across Ofcom’s remit and a Welsh Language Unit to ensure that Ofcom complies with its responsibilities under the Wales Language Measure 2011.

As of January 2026, Ofcom employed 1,714 people UK-wide, with 28 colleagues based in Wales, including 26 in the Cardiff office and 2 homeworkers, representing 1.6% of total headcount. It includes Associate, Senior Associate, Principal and Director level roles reflecting the full range of professional grades at Ofcom with no location-based pay. In keeping with other Ofcom offices, Cardiff-based staff work within different Ofcom groups including Broadcasting and Media, Legal, Online Safety, Infrastructure and Connectivity, Corporate, and People and Culture.

Recommendation 4: Ofcom should work with ITV to increase its UK network spend in Wales

As the Committee will be aware, the Channel 3 licence for Wales was last renewed on 1 January 2025 for a period of ten years. Under the Communications Act 2003, Ofcom’s initial role in the renewal of the Channel 3 licence is to provide a report to the Secretary of State setting out our opinion on the ability of the Channel 3 licensees to contribute to the fulfilment of the purposes of public service broadcasting, at a commercially sustainable cost, over the next ten-year licence period. Our report, published in June 2022 covers the licence period 1 January 2025 to 31 December 2034, is to assess the licence holder’s performance and compliance and to provide advice to the Secretary of State on whether the statutory renewal criteria have been met. In conducting that

assessment, Ofcom considered whether the licence holder(s) had met the core Channel 3 public service following requirements, including, at a high level:

- delivery of a public service remit, including the provision of high-quality, original programming made for a wide range of audiences;
- the supply of national and regional news, current affairs and other content of particular importance to the nations and regions;
- compliance with programme quotas and commitments, including original production, independent production and peak-time requirements;
- adherence to broadcasting standards and audience protection obligations, including due accuracy, due impartiality and protection from harm; and
- and continued ability and commitment to sustainably fulfil the role of a public service broadcaster over the next licence period.

Ofcom's duties are to assess performance against these statutory requirements and advise on compliance and viability, The decision and terms of renewal is a matter for the Secretary of State.

The current Channel 3 licence for Wales includes obligations to produce and broadcast 4 hours of news and 1.5 hours of non-news programming, including 47 minutes of current affairs, each week, made in Wales for audiences in Wales. These programming quotas are being met.

As set out in our January letter to the Committee, the Communications Act 2003 requires Ofcom to ensure a suitable proportion of PSB content is made outside of London. In ITV's case at least 35% of its network programme hours and production spend in the UK must be made outside the M25 area. In 2024, ITV significantly exceeded its minimum requirement with 53% of network programme hours and 59% of network production spend qualifying as made outside of London.

As noted in our January oral evidence, in fulfilling their purposes, including that they reflect communities and culture from different parts of the UK, each public service broadcaster is required to make a different contribution in proportion to their funding, remit and share of the audience. Taken together, in 2024 Wales accounted for 6 per cent of qualifying network hours and 5 per cent of spend outside of London by the UK PSBs.

Recommendation 5: Ofcom should revise the draft code of practice on prominence and accessibility on connected television platforms so that UK PSBs receive equivalent prominence as they do at present under the Electronic Programme Guide code

Recommendation 6: Ofcom should revise the draft code of practice on Prominence and accessibility on connected television platforms so that S4C receives greater prominence within Wales than it does across the UK as a whole. S4C should also receive prominence across the UK, in recognition of its audiences outside of Wales.

As noted earlier, we are considering the responses we have received from all stakeholders to our draft guidance and code of practice on prominence and accessibility on connected TV platforms.

It is important to emphasise that this is a consultation on a complex novel regime, and while we think our proposals set the right balance for the regime, throughout this process we have welcomed views from stakeholders across the industry, including S4C, on how we get this right for audiences across the UK.

Our proposals would mean that for users in Wales, the S4C app would be immediately visible on all app menus. In most cases, this would represent an increase in the visibility of S4C's app. S4C Clic was

not available on all the Television Selection Services (TSS) we surveyed for the consultation analysis, and on the devices where it was available, its median position in app menus was 23rd.

In our consultation, we have proposed that the S4C app should be immediately visible on Regulated Television Selection Services (RTSS) platforms' app menus on both regionalised connected TV platforms for audiences known to be in Wales, and on non-regionalised connected TV platforms across the whole of the UK.

- For non-regionalised RTSS, all six Designated Internet Programme Service (DIPS) apps should be immediately visible on the app menu within the first 9 tiles, in the following order (but do not need to be placed together): BBC iPlayer, ITX, Channel 4 player, Channel 5 player, S4C Clic and STV Player.
- For regionalised platforms and where the user is in Wales, BBC iPlayer, ITVX, S4C Clic, Channel 5 player and Channel 4 player should be immediately visible within the first eight tiles in that order (and do not need to appear together).
- For regionalised RTSS and where the user is known to be outside of Wales, BBC iPlayer, and the relevant Channel 3, Channel 4 and Channel 5 player should be immediately visible within the first 7 tiles in that order (and do not need to be together). In these cases, we expect S4C Clic to be easily discoverable on the app menu so that users can access it without needing to make a significant number of clicks or navigate through a significant number of menu screens.

We are not requiring RTSS providers to have to regionalise their services to comply with the Code as we consider allowing RTSS providers to choose whether to regionalise their service, giving them flexibility to innovate their services and vary their offering is a proportionate approach. We recognise that on unregionalised services S4C would appear after Channel 4 and Channel 5, however, the S4C app would still be required to be immediately visible on these services to users across the whole of the UK, and evidence we reviewed as part of the consultation indicated that overall app visibility is important for user engagement, rather than the exact position number.

We consider that the overarching principle from the Electronic Programme Guide (EPG) Code – that the prominence of a service or a programme is principally determined by where it appears – also applies to RTSS services, however we also view other factors as relevant to prominence on these services, such as for how long and at what time of day content is shown, which we have also taken into account when developing our proposed measures.

We consider that our draft code sets out recommended actions that would secure appropriate prominence for each of the DIPS, including S4C's player, taking into account the different ways that content is displayed and accessed through connected TV platforms. As a result, we have made recommendations across a range of areas including app menus, primary content areas, search, live TV areas and attribution. Our draft Guidance also proposes that PSBs should not be expected to pay for the prominence afforded under the Code. S4C is not currently available on a number of platforms that we have recommended for designation; however, if designated, it will need to be made available and be immediately visible on all RTSS.

Recommendation 7: Ofcom should make it clear that it supports PSBs in their negotiations with television platforms. To this end, Ofcom should provide clearer guidance, so that there is less scope for disagreement between PSBs and platforms.

The Media Act, requires Ofcom to provide guidance to RTSS providers and PSBs explaining how they can agree contractual terms in line with their new duties, including statutory agreement objectives. Our draft Guidance aims to provide enough clarity for parties to have productive negotiations, while

being flexible enough to apply to the diverse range of scenarios and stakeholders under this regime, both now and in the future. The Act has also given us powers to consider and resolve disputes between PSBs and RTSS providers if they cannot reach agreement themselves, and we will have regard to the Guidance when doing so.

Recommendation 8: Ofcom should continuously review UK network news coverage of devolved policy issues. It should report to back to this Committee (and a future Senedd committee) outlining how it will do this

Ofcom sets the Broadcasting Code and enforces it through a risk-based process: we assess complaints and other relevant information and, where appropriate, open investigations and take enforcement action. We publish the outcomes of all decisions on our website.

Broadcasters are responsible for ensuring their UK network news coverage complies with the Broadcasting Code. Editorial decisions are for broadcasters but must be taken within the Code's requirements and be supported by appropriate editorial and compliance arrangements.

Ofcom does not continuously monitor all UK network news output. Where specific concerns are raised about due accuracy or due impartiality in coverage of devolved policy matters, we can assess those concerns against the Code and, where warranted, investigate and take enforcement action.

I hope this further information is useful. Thank you once again for the opportunity to appear before the Committee and I look forward to supporting the work of this and subsequent Committees during the Seventh Senedd.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil', with a horizontal line underneath.

Philip Henfrey