



Diversity at Ofcom

Annual Review 2006/07

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Section 1

Introduction

- 1.1 This annual review gives an update on the range of activities Ofcom has undertaken in 2006/07 to promote diversity in our work as the communications industry regulator and as an employer.
- 1.2 Ofcom exists to further the interests of consumers and citizens in terms of electronic communications through a regulatory regime which, where appropriate, encourages competition.
- 1.3 We aim to lead by example in promoting diversity to ensure that we are credible in our role as the industry regulator, particularly concerning our role to affect fair access to communications and encourage the promotion of equality of opportunity in employment and training amongst the industries we regulate.
- 1.4 We are placing diversity at the heart of Ofcom and we oppose and will seek to overcome all forms of unlawful or unfair discrimination on the grounds of a person's age, disability, gender, race, religion or belief or sexual orientation in all aspects of our work. Ofcom seeks to promote equality of opportunity for those groups that have traditionally faced unequal access to communications and discrimination.
- 1.5 In our work in Northern Ireland we also take into account issues relating to political belief, marital status and parental or caring responsibilities. In Wales and in Scotland we work to ensure that Welsh and Gaelic are given the same prominence as English in all our communications.
- 1.6 In carrying out our statutory duties, including in respect of the industries we regulate, our works to promote diversity in our policy development and encourage equality of opportunity.
- 1.7 As an employer, our goal is to recruit, motivate, develop and retain outstanding people, reflecting the diverse communities we serve. We are committed to equality of opportunity in all areas of employment, including development and promotion. We aim to treat all colleagues fairly, with dignity and respect.
- 1.8 Under the Communications Act 2003, Ofcom has legal obligations to promote and encourage equality of opportunity that explicitly refer to the needs of the different diversity groups in the UK. The groups articulated in the Act are:
 - Children
 - Older people
 - Disabled people
 - Ethnic minority groups
 - Women
- 1.9 This document covers 18 months from January 2006 to June 2007, to include recent activities that highlight Ofcom good practice, but which occurred outside the 2006/07 financial year. Subsequent reviews will cover a 12 month period.

Section 2

Regulatory activities

General work to promote diversity

2.1 Under the Communications Act, Ofcom has a general duty to promote equality of opportunity amongst the industries we regulate to ensure fair access to communications for all consumers and citizens. We also have a duty to promote equality of opportunity in employment and training.

Digital Television Switchover Disabled, Older, Isolated and Low Income consumers

2.2 This paper reports a qualitative research study conducted in 2007 by i2 Media Research Limited, which was commissioned jointly by Digital UK and Ofcom's Advisory Committee on Older and Disabled people. The objective of the study was to understand how disabled, older, isolated and low income people will be affected by digital television switchover. In particular, the project aimed to:

- identify the role and importance of TV and other media in participants' lives;
- explore participants' awareness, knowledge of and attitudes towards digital television and digital television switchover;
- understand participants' support needs (type of support, and extent of support) in their day to day lives, and in particular in relation to media consumption and digital television switchover;
- understand the extent to which participants' formal and informal supporters are able to provide the identified support in relation to digital television switchover;
- provide an overview evaluation of current and planned Digital UK switchover information materials and assistance to participants and their supporters.

2.3 The insights obtained from the research will inform Digital UK's continued development of its broad range of communications activities, to the public, and to supporters of disabled, older, isolated and low income people.

Arrangements for the Promotion of Equal Opportunities in the Broadcasting Industry

2.4 This guidance was issued to help fulfil Ofcom's duty to promote equal opportunities in the broadcasting sector. It was provided to assist broadcasters in making arrangements for promoting equal opportunities in employment between men and women, people of different racial groups and people with disabilities.

2.5 We believe that in order to meet statutory requirements and licence conditions, broadcasters' arrangements to promote equal opportunities in employment should reflect the following minimum recommendations. Therefore, we recommended that arrangements to facilitate the promotion of equal opportunities in employment should include the following:

- a written policy statement;
 - that broadcasters should communicate their policy statement to their staff;
 - the collection of statistics to monitor the race, gender and disability of persons employed.
- 2.6 This guidance was effective from 1 January 2007 and broadcasters are expected to have regard to the minimum recommendations in any new arrangements for promoting equal opportunities that are made after this date or in reviewing their existing arrangements and their application in 2007 and subsequent years.

Broadcasters' returns on equal opportunities

- 2.7 Section 337 of the Communications Act 2003 requires Ofcom to include conditions in radio and television broadcasters' licences requiring licensees to make arrangements to promote equal opportunities in employment on the basis of gender, race and disability.
- 2.8 In order to ensure the effectiveness of broadcasters' arrangements broadcasters we ask them to provide specific equal opportunities data and information so that judgements could be made about the extent to which they are meeting their obligation to promote equal opportunities in employment. This information enables us to evaluate and report on the number of ethnic minority, disabled and female staff broadcasters employ and enables us to publish specific examples of good practice.

Equal Opportunities: A Toolkit for Broadcasters

- 2.9 This toolkit provides broadcasters with practical ways to promote equality of opportunity in employment and training within their organisations.

Age (children and older people)

- 2.10 Age discrimination is an issue that can affect everyone. Although this is the case, the two areas where Ofcom tends to focus its age anti-discrimination efforts are on children (those under 16 years of age) and older people (those over 65 years of age).
- 2.11 These two groups have very different issues with regards to access to communications and we have separate duties under the Communications Act to promote equality of opportunity in communications and protect both groups from harm.
- 2.12 In carrying out our principal duty to further the interests of consumers and citizens in relation to communications matters, Ofcom has duties under the Communications Act 2003 to secure the availability throughout the UK of a wide range of television and radio services which (taken as a whole) are both of high quality and calculated to appeal to a wide variety of tastes and interests, including those of younger people.
- 2.13 We also have duties in relation to children's programming, to ensure that there is a suitable quantity and range of high quality and original programmes for children and young people.

- 2.14 Older consumers rely heavily on electronic communications, particularly broadcast media. Our research has indicated that older people in the United Kingdom are a disadvantaged group in the use of communications media.
- 2.15 Limiting long-standing illness or disability affecting hearing, vision, dexterity or cognitive function increases with age and has an adverse effect on access. Social circumstances (such as low income or isolation) could also affect an older person's access to communications media.

Children's Programming

- 2.16 As part of our planned schedule of work on the future of Public Service Broadcasting in the digital age, Ofcom announced a review of children's programming in February 2007. The review would begin with a research project focusing on:
- the current state of children's television and other children's media in the UK;
 - the role of public service broadcasting in providing content to children;
 - the prospects for a wide range of high quality and original content; and
 - relevant international perspectives or examples.
- 2.17 We intend to publish this research later in the year.

Media Literacy Audit: Report on media literacy amongst children

- 2.18 This report focuses on children aged 8-15 across the UK. Its purpose is to provide stakeholders with a source of information about children's levels of media literacy. We examine children according to two main age-bands – eight to 11 and 12 to 15. We asked children about their media uptake and usage, as well as their attitudes to media and towards learning. We also asked children's parents about the extent and type of rules in the home regarding the media platforms, and compared these with children's responses.

Television Advertising of Food and Drink Products to Children

- 2.19 Because of growing concerns in government and society about rising childhood obesity levels and ill-health due to dietary imbalance, Ofcom was asked by the Department of Health and the Department for Culture, Media and Sport to examine the case – and options – for restrictions on the television advertising of food and drink products to children that are high in fat, salt and sugar (HFSS).
- 2.20 After a detailed examination of all consultation responses and the available evidence, we decided that:
- from 1 April 2007, HFSS advertisements will not be permitted in or around programmes made for children (including pre-school children), or in or around programmes that are likely to be of particular appeal to children aged 4 to 9; and
 - with effect from 1 January 2008, HFSS advertisements will not be permitted in or around programmes that are likely to be of particular appeal to children aged 4 to 15.
- 2.21 The scheduling restrictions and revised content rules will apply to all channels transmitted by UK broadcasters whether aimed at UK audiences or outside the UK.

Restricted Service Licences: EC1 FM and Youth FM

- 2.22 Although Ofcom has no social responsibility in issuing restricted service licences (RSLs) for radio, we released short-term licenses for EC1 FM and Youth FM, both of which are youth related stations.
- 2.23 Ofcom also has responsibilities under the Age Regulations 2006 to eliminate age discrimination in the workplace and we have worked to ensure that our policies and practices do not have a negative impact on older or younger colleagues.

Media Literacy Audit: Report on media literacy amongst older people

- 2.24 This report focuses on adults aged 65 and over across the UK. Its purpose is to provide stakeholders with a source of information about older people's levels of media literacy. It also examines the extent to which older people differ from the UK population as a whole in this respect.

Silver Surfers' Day

- 2.25 Silver Surfers' Day (SSD) is the biggest annual media literacy campaign for older people throughout the UK. This year it was held on Friday 25 May, the last day of Adult Learners' Week.
- 2.26 Ofcom participated in this campaign by organising an Invite Your Parents to Work Day event, where colleagues were encouraged to invite their parents to Riverside House to receive tutoring on how to navigate the internet.
- 2.27 Twenty older people participated in this event - they comprised of parents, relatives and friends of colleagues. The age of participants ranged from just over 50 to 75.
- 2.28 Colleagues based in our Northern Ireland office also participated in SSD and spent the day in two libraries in Belfast where they tutored approximately 20 older people (aged from 50 to 87) on how to use a computer and surf the internet.

Advisory Committee on Older and Disabled People

- 2.29 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 on broadcasting, telecommunications and spectrum issues.
- 2.30 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.

Disability

- 2.31 Electronic communications can be of particular importance to those disabled people with visual impairment, hearing impairment and/or mobility issues, as without such skills, disabled people's ability to participate effectively in the workplace and in society may be greatly diminished.
- 2.32 The Disability Rights Commission suggests that people with disabilities make up 11.5% of the population. However, using the definition of disability under the

Disability Discrimination Act (DDA) 2005, it is estimated that as many as one in five people of working age have a disability.

- 2.33 Under the Communications Act, Ofcom has a duty to promote equality of opportunity and fair access to communications for disabled people. We also have a duty under the DDA and Northern Ireland Act 1998 to eliminate disability discrimination, promote equality of opportunity for and positive attitudes towards disabled people and encourage participation by disabled people in public life.
- 2.34 Ofcom continually works to ensure that disabled citizens and consumers have fair access to all forms of electronic communications.

Media Literacy Audit: Report on media literacy of disabled people

- 2.35 In 2006, Ofcom undertook research which looked at how disabled adults and children in 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.

Provision of Television Access Services

- 2.36 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.

Code on Television Access

- 2.37 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 Broadcasting Act 1996, or the Broadcasting Act 1990. Ofcom notes that some broadcasters already provide television access services on a voluntary basis, and encourages broadcasters to do so where possible, even if they are not required to do so by this code.

Code on Electronic Programme Guides

- 2.38 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 and give 'appropriate prominence' to public service channels such as the BBC, ITV1, Channel 4, S4C, five and teletext and explain their approach to this
- 2.39 Ofcom expects EPG providers to consult disability groups and individuals about the way they meet their obligations under the code.

The Representation and Portrayal of People with Disabilities on Analogue Terrestrial Television

- 2.40 This research was conducted to evaluate the representation of people with disabilities on analogue terrestrial television in terms of the extent of representation and how people with disabilities have been portrayed. The report is of a content analysis of recorded samples of television programmes broadcast in 2004.
- 2.41 The research found that, in 2004, only 12% of sampled programmes (on BBC1, BBC2, ITV, Channel 4 and Five) included representations of people with disabilities. However less than one person/character in 100 in the sampled programmes overall had a disability.

Advisory Committee on Older and Disabled People

- 2.42 *Please see the section on Age.*

Universal Service Obligations

- 2.43 Universal Service Obligations (USO) ensures that basic fixed line services are available at an affordable price to all citizen 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.
- 2.44 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 PCBs. 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.

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

- 2.45 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. They are used primarily by deaf and speech impaired users and anyone else who is unable to use a standard telephone.
- 2.46 Ofcom commissioned research with members of the deaf and hearing impaired communities, in order to develop our understanding about the usage of, attitudes towards, and perceived benefits of text phone services. The aim is to assess the operation of text relay services and gather views on their marketing.

Technology design

- 2.47 Easy to use technology is integral to disabled people's access to communications. Ofcom has a duty under the Communications Act to encourage the design and

development of communications equipment that are easy for the widest range of consumers (including disabled people) to use.

- 2.48 Ofcom is already engaged in a wide range of activities including research into the usability of digital television receiver equipment. The report from this research includes good practice design checklists for easy to use and easy to set-up domestic digital television equipment, which would ensure ease of use by older and disabled consumers.

European Regulatory Framework Review

- 2.49 The European Regulatory Framework Review re-examined the five electronic communications directives which are intended to unite and harmonise communication regulation throughout the European Community. During its engagement with this review, Ofcom has identified the need to assess the link between the Communications Directive and the Radio and Telecommunications Terminal Equipment Directive, highlighting the relationship between disabled people's access to communications and the need for easily usable equipment.
- 2.50 Due to Ofcom's efforts in this area the revised EU Directive now includes a provision on access by people with disabilities. Member states are tasked with encouraging media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability.

Gender

- 2.51 Under the Communications Act 2003, Ofcom has responsibilities, as a regulator and as an employer to promote equality of opportunity between women and men.
- 2.52 We are also subject to the Gender Duty of the Equality Act 2006. Under this duty, Ofcom must take steps to eliminate unlawful sex discrimination and promote equality between women and men.
- 2.53 According to our media literacy audit on adults, there are no significant differences in access to communications between women and men, so our efforts to promote gender equality tend to be employment related.

Race

- 2.54 Under the Communications Act 2003, Ofcom has responsibilities towards the different ethnic groups in the UK. The Act requires Ofcom in performing its general duties to have regard to the different interests of the different ethnic communities within the UK as it deems relevant in the circumstances.
- 2.55 As a public body, we have a General Duty under the Race Relations (Amendment) Act 2000 to eliminate racial discrimination, promote equality of opportunity and good relations between different racial groups. We also have duties under the Welsh Language Act 1993 and Gaelic Language Act 2005 to treat Welsh and Gaelic as equal to English in undertaking our functions in Wales and Scotland.
- 2.56 Over the past 18 months Ofcom has undertaken a number of activities to promote racial equality in our regulatory functions and organisational activities.

Communications Market Special Report: Ethnic minority groups and communication services

2.57 Ofcom conducted research to explore how the citizen and consumer interests of people from ethnic minority groups (EMGs) are being met in relation to the availability, take-up and consumption of communications services, and to investigate attitudes towards these services. The research looked at three communications services: digital TV, telecoms - fixed line and mobile, and internet.

Media Literacy Audit: Report on media literacy of ethnic minority adults

2.58 The focus of this report is upon the media literacy of adults from ethnic minority groups (EMGs) across the UK. Its purpose is to provide stakeholders with an array of information about minority ethnic group opinions and habits in relation to media literacy and to examine the extent to which such views and habits differ or not from the UK population as a whole.

Ofcom Contact Centre Complaints Monitoring

2.59 Ofcom monitors the nature of complaints relating to broadcasting received by the Ofcom Contact Centre by whether it relates to racist offence. From April 2006 to March 2007 Ofcom received 255 complaints about racist offence.

2.60 This figure relates to our parent cases only, which do not include Celebrity Big Brother figures, which would otherwise hugely distort this information.

Celebrity Big Brother Racism Incident Adjudication

2.61 This was an adjudication under the Broadcasting Code which related to the fifth series of Celebrity Big Brother which was broadcast on Channel 4 in January 2007.

2.62 Ofcom received just over 44,500 complaints about Celebrity Big Brother 2007, an unprecedented number of complaints received by us (or any previous broadcasting regulator) in relation to any programme or series. The majority of these complainants (around 40,000) were concerned about alleged bullying and material of a potentially racist nature.

2.63 Under the Communications Act 2003, we have a statutory duty to set standards for the content of broadcast television programmes in a Code with which broadcasters must comply. Ofcom must ensure broadcasters comply with the Code and perform its duties in light of the European Convention of Human Rights which provides for the right to freedom of expression.

2.64 We found that there were three events which were broadcast during the series which were in breach of the Code and found that in relation to these three incidents, Channel Four failed to appropriately handle the material so as to adequately protect members of the public from offensive material.

2.65 Ofcom directed to direct Channel Four and S4C to broadcast a statement of Ofcom's findings on three separate occasions at the following times:

- At the start of the first programme of the new series of Big Brother;
- At the start of the first re-versioned programme the following morning;

- At the start of the first eviction show of the new series of Big Brother.
- 2.66 We believed that the direction to broadcast a statement of our findings at the times identified would ensure that the largest number of viewers would be made fully aware of the seriousness of Channel 4's failure to comply with the Code.

Restricted service licences: Carnival FM

- 2.67 In 2006, Ofcom released a short-term license for Carnival FM for the Caribbean carnival and Asian Mela festival events. The broadcast area covered Preston and Blackpool.

Religion or belief

- 2.68 Current anti-discrimination legislation places a duty on Ofcom, as a public body, to promote equality of opportunity for people of different religions and of none within the workplace.
- 2.69 We also work to promote equality of opportunity for people of different religions amongst the industries we regulate. We offer religious groups protection against harm and offence in broadcasting content under or Broadcasting Code.

Ofcom Contact Centre Complaints Monitoring

- 2.70 Ofcom monitors the nature of complaints relating to broadcasting received by the Ofcom Contact Centre by whether it relates to religious offence. From April 2006 to March 2007 Ofcom received 147 complaints relating to religious offence.

Restricted Service Licences

- 2.71 Ofcom released short-term licenses for the following religion based broadcasting in the past year:
- Raaj FM - West Bromwich (Sikh & Punjab broadcast)
 - Ramadan broadcasting - 30 local licenses were issued across the UK in 2006
 - Watchtower Convention - 13 local licences were issued for various annual Jehovah's Witness conventions.

Section 3

Organisational activities

Organisational development

- 3.1 Ofcom has identified diversity as a business imperative and we are committed to promoting and embedding the agenda into our organisational processes and business as usual activities.
- 3.2 Over the past 18 months, we have worked to ensure that colleagues are aware of the importance of diversity to the organisation and our duties to promote the agenda in the way we work and the work we do.

Ofcom Values

- 3.3 Ofcom's Values were developed to articulate how we as an organisation would like to evolve and develop over the coming years and came about as a result of the findings from our first Colleague Survey.
- 3.4 The purpose of the Values is to make Ofcom a better place to work and establish shared expectations amongst colleagues. The values are also consistent with our regulatory principles.
- 3.5 Our Values are about respecting colleagues and valuing the different perspectives that they bring to the organisation. Diversity is, therefore, fundamental to the successful expression of these Values in our day to day activities and interactions

Diversity Champion

- 3.6 In 2006, Ofcom appointed a Diversity Champion at senior management level to lead the agenda within the organisation. Tim Suter is one of our Partners and sits on Ofcom's Executive Committee and is a member of our Content Board.
- 3.7 Our Diversity Champion has responsibility for diversity issues and leads the agenda within the organisation. He has responsibility for the operational implementation the Diversity Action Plan.

Equalities and Diversity Manager

- 3.8 In 2006, Ofcom appointed an Equalities and Diversity Manager to co-ordinate and drive the diversity agenda forward within the organisation and ensure that we comply with current anti-discrimination legislation and follow diversity best practice. The role also has responsibility for the community aspect of Ofcom's Corporate Social Responsibility agenda.

Diversity Action Plan

- 3.9 The Diversity Action Plan (DAP) highlights our strategic diversity aims and priorities which will provide the focus for how we will progress our statutory duties and commitment to promoting diversity across Ofcom in policy development, function delivery and employment.

Diversity Working Group

- 3.10 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.
- 3.11 The DWG consists of colleagues from each Ofcom Group and is chaired by Ofcom's Diversity Champion.

Workforce benchmarking

- 3.12 Benchmarking is a key way for Ofcom to understand how we is performing compared to other similar organisations. It is also a key source to identify and learn from external examples of good practice in policy development, stakeholder engagement and employment practice.
- 3.13 Ofcom undertook a workforce diversity benchmarking exercise to compare our performance to other similar organisations. We benchmarked our performance against 19 organisations, which included other regulators, the industries we regulates, the Civil Service and professional services firms. We also benchmarked against the UK population and economic activity of each diversity group. The results showed that Ofcom compares well to the selected organisations. Despite this, there is still a lot more that can be done to improve our workforce diversity across the organisation and at all levels.

Procurement

- 3.14 Diversity has been included as a selection criterion in our Invitation to Tender document. Where appropriate, potential suppliers are now asked to submit details on their Diversity Policy Statement setting out how the organisation complies with UK equalities legislation relating to service delivery and fair employment. They are also required to give us full details of any unlawful discrimination complaints that have been made against them during the past three years.
- 3.15 This criterion has been significantly weighted to ensure that it makes an impact on scoring for companies' suitability to apply to deliver services on Ofcom's behalf.

Age

Age audit

- 3.16 The Employment Equality (Age) Regulations 2005 came into force in October 2006, by which time Ofcom had carried out a review of its employment policies to ensure that they are age neutral.

Employers' Forum on Age (EFA)

- 3.17 Ofcom is a member of the Employers' Forum on Age (EFA), which campaigns to eliminate workplace discrimination and works to support employers in their efforts to achieve age equality. Ofcom uses EFA resources to identify and learn from organisations that exemplify good practice in age equality in the workplace.

Disability

Disability Equality Scheme

- 3.18 Ofcom published its Disability Equality Scheme in November 2006, in line with our duties under the Disability Discrimination Act 2005. The scheme is a three year plan, which sets out what Ofcom intends to do to improve disability equality in access to electronic communications in line with its regulatory powers and as an employer.

Disability Action Plan for Northern Ireland

- 3.19 Under the Disability Discrimination Act 1995 (as amended by the Disability Discrimination (NI) Order 2006) Ofcom is required, in carrying out our 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 Act also requires us to submit to the Equality Commission for Northern Ireland a Disability Action Plan showing how we propose to fulfil these duties in relation to our functions.
- 3.20 Ofcom published its DAP in June 2007. This plan sets out how we propose to fulfil the disability duties in relation to our functions in Northern Ireland.

Employers' Forum on Disability (EFD)

- 3.21 Ofcom is a member of the EFD, which looks at ways to promote equality of opportunity for disabled employees. They also administer the Disability Standard benchmarking survey, which Ofcom completed at the beginning of 2007.

Gender

Gender Equality Scheme

- 3.22 Under the Equality Act 2006, Ofcom has a duty to publish a Gender Equality Scheme which demonstrates how Ofcom will promote equality of opportunity between women and men as a regulator and employer. The scheme was published in March 2007.

International Women's Day

- 3.23 International Women's Day was celebrated through an afternoon of talks and seminars on women's issues. Internal and external speakers discussed women's roles within the organisation and the struggle for gender equality, not just within the UK, but across the globe.

Opportunity Now

- 3.24 Ofcom is a member of Opportunity Now, a national employers' organisation that promotes gender equality in the work place.
- 3.25 Opportunity Now provides employers with a benchmarking tool to measure their performance in this area. There is also the opportunity to undertake a benchmarking exercise to measure performance in this area.
- 3.26 Ofcom undertook the Opportunity Now benchmarking survey and received a Silver Standard award for our work to promote gender equality in the workplace. We

received top marks for our management commitment to gender diversity and the allocation of resources and management structures. We also scored well on linking our diversity goals to our strategic aims.

Women in Telecoms & Technology

- 3.27 Ofcom supports the Women in Telecoms and Technology (WiTT) informal networking group, which is focused on education and enhancing women's careers by sharing experiences and lessons learned in members' career development. WiTT encourages mentoring and provides excellent networking opportunities.

Ofcom Women's Network (OWN)

- 3.28 Ofcom established the Ofcom Women's Network (OWN) to offer support for women within the organisation and to give women a collective voice to enter into dialogue with management on issues that affect this particular diversity group.
- 3.29 OWN publishes a quarterly e-bulletin, *Working with Women at Ofcom* (www.ofcom.gov.uk/working-with-women), which provides news and information on issues relevant to women within the organisation.

Race

Race Equality Scheme Employment Monitoring Report

- 3.30 As required by the Race Relations (Amendment) Act 2000, we reported our race employment monitoring data relating to all colleagues employed by Ofcom. The report includes data on those who are recruited to Ofcom, colleagues currently working for the organisation and those who have left. Data on training, grievances and disciplinaries is also reported.

Welsh Language Scheme

- 3.31 This scheme was published in September 2006 and sets out how in the conduct of our public business, Ofcom will treat the English and Welsh languages on the basis of equality. The Scheme was prepared under Sections 12 to 14 of the Welsh Language Act, 1993 and in accordance with guidelines issued by the Welsh Language Board.

Black History Month

- 3.32 Black History Month was marked with a series of events in October 2006. There were lunchtime talks, film screenings and an African dance troupe performance to celebrate the diversity of the UK's multicultural society and the contributions made by black men and women. The lunchtime talks included a panel of colleagues' parents discussing their experiences of living in the UK and a seminar on the history of black people in the UK.

Race for Opportunity (RfO)

- 3.33 Ofcom is a member of RfO, which is an employers' organisation that offers assistance on how to promote race equality in the workplace. RfO also offers members a benchmarking tool to understand how they are performing in relation to race equality in the workplace.

Sexual Orientation

- 3.34 The Government estimates that 5 to 7% of the UK's population is lesbian, gay or bisexual. Current legislation places an obligation on public bodies to promote sexual orientation equality in the workplace.
- 3.35 Beyond this, Ofcom promotes sexual orientation equality in the workplace amongst the industries we regulate. We also offer lesbian, gay and bisexual (LGB) citizens protection against harm and offence in broadcasting content under our Broadcasting Code.
- 3.36 Over the past 18 months we have worked to ensure that we promotes sexual orientation equality and raise colleagues' awareness of issues relating to the diversity strand.

Diversity Champions

- 3.37 Ofcom is a member of Stonewall's Diversity Champions programme, which offers employers support on how to promote sexual orientation equality in the workplace. Diversity Champions also offers employers the opportunity to measure their performance through an annual benchmarking survey.
- 3.38 Ofcom undertook the Diversity Champions benchmarking survey in 2006. The results revealed that Ofcom's performance in promoting sexual orientation equality in the workplace was not good enough to get us into the top 100 organisations in Stonewall's Workforce Equality Index (WEI). However, the areas identified for improvement have been acted upon and we will be undertaking the benchmarking survey again in 2007

Lesbian and Gay History Month

- 3.39 Ofcom celebrated Lesbian and Gay History Month in February, with a series of lunchtime talks by prominent lesbian and gay people in the UK. The seminar topics covered the history of the LGB struggle in the UK, a discussion on the conflict between discrimination and the right to free speech, a first hand account of being the UK's highest ranking gay police officer, and LGB portrayal in broadcasting. A raffle was also organised to raise money for charities nominated by the speakers - over £320 was raised.

Lesbian & Gay Colleagues' Network

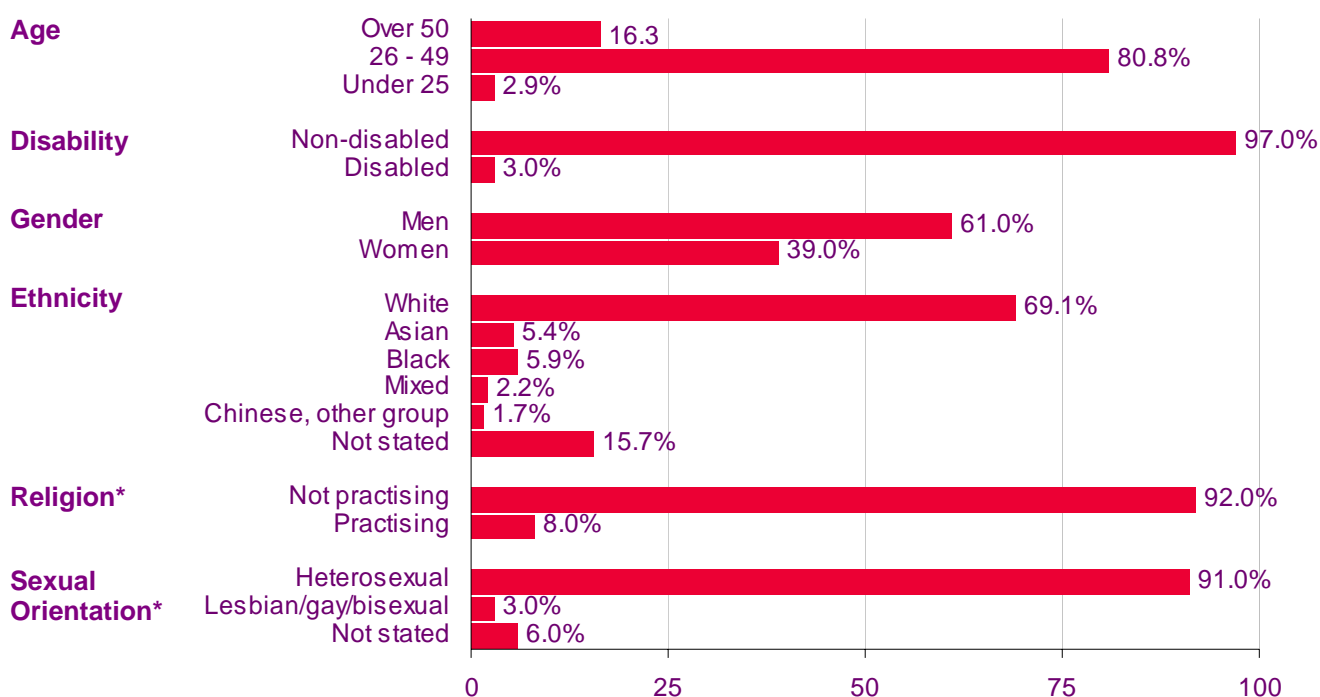
- 3.40 Ofcom has established a Lesbian and Gay Colleagues' Network to provide lesbian and gay colleagues support within the organisation and to act as a collective voice on workplace issues for this diversity group.

Section 4

Ofcom's workforce profile

- 4.1 Ofcom's commitment to diversity is driven by our business need to continue attracting talented people into our organisation and encouraging them to stay. A more diverse workforce will put us in a better position to understand the diverse consumer issues and improve our regulatory output.
- 4.2 Ofcom is committed to creating inclusive employment policies which reflect and value diversity. We believe that we will perform best by harnessing the collective and complementary skills, knowledge and backgrounds of a rich mix of people who work together in an environment that is fully inclusive and totally respecting of individuals.
- 4.3 Ofcom monitors its workforce profile to determine whether it is offering equality of opportunity and treatment to all colleagues regardless of their culture or background.

Figure 4.1: Ofcom's workforce diversity at a glance



* Data on religion and sexual orientation is taken from the analysis of our Colleague Survey 2007 and not from the HR Information System as with age, disability, gender and race

Age

- 4.4 Ofcom's has an older age profile, with 16.3% of colleagues being over 50 and 2.9% being under 25. This age profile is to be expected given the nature of Ofcom's business and the levels of experience that is required to be effective within the majority of roles within the organisation.

Disability

- 4.5 Three percent of Ofcom colleagues have declared that they have a disability. In considering the workforce profile it is important to note that there may be more disabled people within the organisation who have not declared their status.
- 4.6 Non-disclosure may occur for a range of reasons, including where colleagues do not consider themselves to be disabled, do not apply the Disability Discrimination Act definition to their circumstances, distance themselves from the label 'disabled', especially for those who may have recently acquired an impairment, and fear of discrimination. The last reason may be particularly pertinent, as when colleagues were asked whether they were disabled in our anonymous Colleague Survey, more colleagues declared their status than the number derived from our colleague database.

Gender

- 4.7 Thirty-nine per cent of Ofcom's colleagues are women and sixty-one per cent are men. This in part reflects the fact that most Ofcom colleagues have joined the organisation from a technology or telecoms background, where, in contrast to the broadcasting sector, men significantly outnumber women.

Ethnicity

- 4.8 Just under 16% of Ofcom colleagues come from a non-White ethnic minority background. If we include the White ethnic minority workforce, this increases the ethnic minority workforce population to almost 25%.
- 4.9 White British is the largest ethnic group within Ofcom at 58% of the workforce. The largest ethnic minority group within Ofcom is the White Other category with 8.4% of colleagues from this background. However, this is not a homogenous group and comprises colleagues from a large number of countries across different continents including Australia, South Africa, New Zealand, continental Europe and the Americas.

Religion and belief

- 4.10 Ofcom began monitoring the religion of job applicants in 2006 and will start monitoring colleagues' religion when the new Human Resources Information System (HRIS) is introduced in autumn 2007. However, for the purposes of this report we are interested in those who practice a religion as opposed to those who identify with a religion.
- 4.11 The results of our Colleague Survey showed that 8% of colleagues practiced their religion. However, we were unable to identify which religion they were affiliated to.

Sexual orientation

- 4.12 Ofcom began monitoring the sexual orientation of job applicants in 2006 and will start monitoring colleagues' sexual orientation when the new HRIS is introduced.
- 4.13 The results of our Colleague Survey showed that 3% of colleagues identified themselves as being lesbian, gay or bisexual.
- 4.14 Similar to disability, Ofcom's ability to capture this information depends on colleagues' willingness to declare their sexual orientation. To this end, Ofcom is endeavouring to create an environment in which colleagues feel comfortable about declaring their sexual orientation.

Section 5

Looking forward: 2007/08

- 5.1 Ofcom has developed a Diversity Strategy, which includes the Diversity Action Plan for 2007/08.
- 5.2 This Diversity Strategy looks ahead three years from 2007 to 2010. It sets out for the first time Ofcom's diversity commitments. These are underpinned by a series of strategic objectives which show what specific corporate action we will be taking to support the achievement of these commitments.
- 5.3 The strategy is aligned to Ofcom's Values and links in to the works streams of the Ofcom the Next Three Years Project. This strategy is internally focussed, as Ofcom needs to get its internal processes and practices in order in terms of diversity as well as embed diversity into our regulatory functions. We have identified the following strategic aims to progress the diversity agenda across the organisation:
 - Fulfilling our legal duties as a public body
 - Embedding diversity and raising awareness
 - Building industry partnerships and consumer engagement
 - Recruiting and retaining a diverse workforce
 - Making a positive impact on our local community
- 5.4 This strategy incorporates the Diversity Action Plan for 2007/08, which details the actions that need to be undertaken to realise each strategic aim. The achievement of these actions will go some way to make Ofcom an organisation that truly values diversity and manages the agenda effectively.
- 5.5 The Diversity Strategy will be reviewed annually and include an updated action plan.

Annex 1

Diversity and the Communications Act 2003

A1.1 As well as various anti-discrimination legislation covering age, disability, gender, race, sexual orientation and religion and belief, Ofcom also has a duty to promote equality of opportunity and diversity under a number of sections of the Communications Act 2003.

Section	Detail
Section 3 (4)i	General duties of Ofcom Ofcom must have a regard, in the performance of its duties, to the needs of people with disabilities and the different ethnic communities living in the UK inasmuch as they are relevant to the circumstances.
Section 10	Easily usable equipment Ofcom should take steps to encourage manufacturers to develop 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).
Section 21	Advisory Committee for Older and Disabled People Ofcom must establish and maintain a committee to provide advice on the needs of disabled and older citizens.
Section 27	Employment in broadcasting 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.
Section 264 (6)b (6)h, (6)i	Ofcom reports on the fulfilment of the public service remit A manner of fulfilling the purposes of public service television broadcasting in the United Kingdom is compatible with this subsection if it ensures (b) that cultural activity in the United Kingdom, and its diversity, are reflected, supported and stimulated by the representation in those services of drama, comedy and music (h) that those services include what appears to Ofcom to be a suitable quantity and range of high quality and original programmes for children and young people (i) that those services include what appears to OFCOM to be a sufficient quantity of programmes that reflect the lives and concerns of different communities and cultural interests and traditions within the United Kingdom, and locally in different parts of the United Kingdom.
Section 265 (3)b	Public service remits of licensed providers The public service remit for Channel 4 is the provision of a broad range of high quality and diverse programming which, in particular appeals to the tastes and interests of a culturally diverse society.
Section 303	Television services for the deaf and visually impaired Ofcom has a duty to draw up and from time to time revise and review a code giving guidance to 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
Section 308	Assistance for the visually impaired with the teletext service In the public teletext service, Ofcom should consider 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.

Section 310	<p>Code of practice for electronic programme guides 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 features that will ensure access by people with disabilities affecting their sight or hearing or both.</p>
Section 337	<p>Equal opportunities and training Ofcom requires broadcast license holders to make arrangements for the equalisation of opportunity in employment and training for disabled people.</p>