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Council-In-Committee Meeting – December 14, 2021

Subject: 2021 Accessibility Compliance Reporting
Report Number: CS 21- 66
Division: Corporate Services
Department: Accessibility and Special Projects
Purpose: For Decision

Executive Summary:

This report is intended to provide an update on Norfolk County's legislated requirements under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and its Regulation, the *Integrated Accessibility Standards Regulation (O. Reg. 191/11) (IASR)*.

The AODA requires designated public sector organizations to file Accessibility Compliance Reports every two years. Norfolk County must report to the Ministry for Seniors and Accessibility by December 31, 2021.

Discussion:

Norfolk County's Accessibility Compliance Report includes 25 questions, as attached.

Although Norfolk County continues to work towards compliance, the County will be in a position to report non-compliance on question 14 as it relates to the Norfolk County website as outlined in Part II, Information and Communications Standard of the *Integrated Accessibility Standards Regulation O.reg. 191/11 (IASR)*:

“As of January 1, 2021, do all your organization's internet websites conform to World Wide Web Consortium Web Content Accessibility Guidelines 2.0 Level AA (except for live captions and pre-recorded audio descriptions)?”

s.14(4) of the Information and Communication Standard of the Integrated Accessibility Standards Regulation states that “*Designated public sector organizations and large organizations for their internet websites shall meet the requirements of this section in accordance with the following schedule: By January 1, 2021, all internet websites and web content on those sites must conform with WCAG 2.0 Level AA, other than,*
i. success criteria 1.2.4 Captions (live), and
ii. success criteria 1.2.5 Audio Descriptions (Pre-recorded)”.

Due to the dynamic nature of website and web content accessibility, it is difficult for any entity to prove with 100% certainty that their websites and web content are meeting

WCAG 2.0 Level AA compliance at all times. A single non-compliant PDF can take a website's accessibility compliance level from 100% to 0% instantaneously. The current model of compliance reporting is simply a snapshot in time – it is possible that an entity could be compliant (or not) at the time of reporting and have that status change overnight. Based on conversations within the Ontario Network of Accessibility Professionals (ONAP) a large majority of Municipalities will be reporting non-compliance on their websites and web content. Web content and website accessibility is a complicated topic that Municipalities across the Province have been working diligently to address. This includes Norfolk County Staff.

Corporate Services staff believe achieving website compliance requires a 3-tiered approach:

1. Condensing Content
 - a. This includes removing outdated, irrelevant, non-compliant content on Norfolk County web platforms
 - b. Taking an inventory of what is currently on any County web domains and allowing appropriate Departments to determine what content is relevant to citizens and what content can simply be removed
 - c. There is likely a large inventory of inaccessible PDF's that can be removed from County websites that are not being visited, may be providing inaccurate information or can be provided in accessible HTML format on web pages rather than in PDF format
 - d. Removing unneeded content lessens potential document remediation efforts and provides an improved website user experience for residents and website visitors alike
2. Training and Licensing
 - a. The vast majority of website compliance complications arise with web content rather than the web platform itself. Ensuring that WCAG compliant content is being uploaded on a regular basis is imperative in maintaining an accessible website
 - b. In order to ensure accessible content is being uploaded onto the website, accessible document training will continue to be provided to County staff who have website-uploading capabilities
 - c. Additionally, staff who have not had any form of accessible document training and do not have an Adobe Acrobat Pro license (version required to upload accessible PDFs) will not have website-uploading capabilities. This ensures that anyone uploading content onto the website has both the proper training and technology to create accessible documents
3. Maintenance
 - a. After taking significant strides to reduce inaccessible content on the Norfolk County website, there needs to be an ongoing commitment to continue to upload fully compliant content on all web platforms
 - b. This means monitoring Adobe Acrobat Pro licenses and uploading rights on an annual basis

- c. Providing “refresher” accessible document training while ensuring any new employees starting with the County who have website upload rights are provided with document training as a part of their on-boarding process
- d. Corporate Services Staff (Accessibility, Information Technology and Corporate Communications) are investigating the feasibility of automated website scanning tools that can easily and accurately scan website platforms and their content for WCAG 2.0 Level AA compliance. Leveraging a tool like this would significantly reduce manual scanning tactics and would provide County Staff with an up-to date inventory of where the website stands at all times as it relates to web compliance

There is a lot of work to be done as it relates to the Norfolk County website inventory and its level of compliance under the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA standards. With that being said, Accessibility and Special Projects, along with the support of other Corporate Services Departments, are committed to taking meaningful steps towards achieving full levels of compliance as soon as possible in 2022 while putting forward a sustainable effort to maintain this level of compliance.

Compliance reporting requires two individuals in the organization – one to answer the questions and one to verify that the information is accurate. Even though the County is filing a report to verify compliance, the Ministry for Seniors and Accessibility may audit the County at any time to verify the information that has been provided is true.

Financial Services Comments:

There are no direct financial implications related to staff’s recommendation to complete, verify and submit the Accessibility Compliance Report. However, as noted, Norfolk County is in non-compliance and failure to comply could result in future penalties and fines.

Interdepartmental Implications:

The responsibility for the implementation of the *Accessibility for Ontarians with Disabilities Act* (AODA) and the *Integrated Accessibility Standards Regulation* (IASR) falls within the Accessibility and Special Projects Department. Accessibility and Special Projects is responsible for ensuring compliance at the corporate level, is the focal point for legislative analysis, and subject matter expertise. Departments/Divisions retain the accountability for ensuring that their respective areas are meeting legislative requirements as outlined in the above Standards.

Consultation(s):

In preparation for this report, consultation was completed with the General Manager, Corporate Services, Director, Human Resources, General Manager, Operations, Director, Facilities, Director, Parks, Director, Information Technology, Director, Strategic Innovation and Economic Development, Public Transportation and Business

Development Coordinator, Supervisor, Corporate Communications and Staff
Development Coordinator

Strategic Plan Linkage:

This report aligns with the 2019-2022 Council Strategic Priority "Build and Maintain Reliable, Quality Infrastructure" and "Focus on Service".

Explanation:

Building, renovating and maintaining County facilities that meet barrier-free design requirements under the Ontario Building Code and built environment requirements under the Integrated Accessibility Standards Regulation allows the County to continue building and maintaining reliable, quality infrastructure. Quality infrastructure throughout County facilities provide equal access to all individuals, regardless of ability levels. The accessible built environment is a point of emphasis across all County facilities. By providing inclusive and barrier-free customer service, supported by robust Accessibility Policies and Procedures, Norfolk County Staff are putting an emphasis on improved customer service and an increased focus on service as a whole.

Conclusion:

Although Norfolk County is in non-compliance, the County should proceed with filing the Accessibility Compliance Report to the Ministry for Seniors and Accessibility. A large majority of municipalities in Ontario will also likely be reporting non-compliance in regards to their website accessibility as outlined above. In a further effort to communicate the difficulty to meet WCAG 2.0 AA requirements, transparent and honest reporting is an important tool to let the Ministry know that further support is required to Municipalities across the Province.

Recommendation(s):

THAT Staff Report CS 21-66, 2021 Accessibility Compliance Reporting, be received as information;

AND THAT the County Clerk be authorized to verify and submit the Accessibility Compliance Report to the Ministry for Seniors and Accessibility.

Attachment(s):

2021 Accessibility Compliance Report

Reviewed and Submitted By:
Shelley Darlington
Manager, Corporate Services
For more information, call:
519-426-5870 ext.1320

Prepared By:
Sam McFarlane
Manager, Accessibility and Special Projects
For more information, call:
519-426-5870 ext. 8099

Organization category	Designated Public Sector	Number of employees range	50+
Filing organization legal name	The Corporation of Norfolk County		
Filing organization business number (BN9)	888098019		

Fields marked with an asterisk (*) are mandatory.

B. Understand your accessibility requirements

Before you begin your report, you can learn about your accessibility requirements at ontario.ca/accessibility

Additional accessibility requirements apply if you are:

- [a library board](#)
- [a producer of education material \(e.g. textbooks\)](#)
- [an education institution \(e.g. school board, college, university or school\)](#)
- [a municipality](#)

If you are a municipality submitting this report, and submitting on behalf of local boards, please indicate which boards below.

C. Accessibility compliance report certification

Section 15 of the *Accessibility for Ontarians with Disabilities Act, 2005* requires that accessibility reports include a statement certifying that all the required information has been provided and is accurate, signed by a person with authority to bind the organization(s).

Note: It is an offence under the Act to provide false or misleading information in an accessibility report filed under the AODA.

The certifier may designate a primary contact for the Ministry for Seniors and Accessibility to contact the organization(s); otherwise the certifier will be the main contact.

Certifier: Someone who can legally bind the organization(s).

Primary Contact: The person who will be the main contact for accessibility issues.

Acknowledgement

☒ I certify that all the information is accurate and I have the authority to bind the organization *

Certification date (yyyy-mm-dd) * 2021-11-17

Certifier information

Last name *		First name *		
Olsen		Teresa		
Position title *	Position title other *	Business phone number *	Extension	<input type="checkbox"/> Check here if TTY
Other	County Clerk	519-426-5870	1228	
Email *		Alternate phone number	Extension	Fax number
teresa.olsen@norfolkcounty.ca				

Primary contact for the organization(s)

☐ Check if the primary contact is same as the certifier

Last name *

McFarlane

First name *

Sam

Position title *

Other

Position title other *

Manager, Accessibility

Business phone number *

519-426-5870

Extension

8099

☐ Check here
if TTY

Email *

sam.mcfarlane@norfolkcounty.ca

Alternate phone number

Extension

Fax number

D. Accessibility compliance report questions

Instructions

Please answer each of the following compliance questions. Use the Comments box if you wish to comment on any response.

If you need help with a specific question, click the help links which will open in a new browser window. Use the link on the left to view the relevant AODA regulations and the link on the right to view relevant accessibility information resources.

Municipal Accessibility Advisory Committees

1. Is your organization a municipality with a population of 10,000 or more? *

☒ Yes

☐ No

(If Yes, you will be required to answer additional questions.)

[Read Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, s. 29: Municipal Accessibility Advisory Committees](#)

[Learn more about your requirements for question 1](#)

1.a. Has your organization established an accessibility advisory committee as outlined in section 29 of the AODA? *

☒ Yes

☐ No

(If Yes, you will be required to answer additional questions.)

[Read Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, s. 29: Municipal Accessibility Advisory Committees](#)

[Learn more about your requirements for question 1.a](#)

Comments for question 1.a [Norfolk County has established an Accessibility Advisory Committee as outlined in section 29 of the AODA](#)

2. Are the majority of the members of the committee persons with disabilities? *

☒ Yes

☐ No

[Read Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, s. 29 \(3\): Municipal Accessibility Advisory Committees](#)

[Learn more about your requirements for question 2](#)

Comments for question 2 [The majority of the members of the committee are persons with disabilities](#)

3. Has the committee provided advice to council about site plans and drawings (as described in S.41 of the *Planning Act*) as well as advice on the requirements and implementation of accessibility standards? *

☒ Yes

☐ No

[Read Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11, s. 29 \(4\): Municipal Accessibility Advisory Committees](#)

[Learn more about your requirements for question 3](#)

Comments for question 3 [The Norfolk County Accessibility Advisory Committee provides advice to Council about site plans and drawings as well as advice on the requirements and implementation of accessibility standards](#)

Foundational requirements

4. Does your organization have written accessibility policies that include a statement of commitment? *

☒ Yes

☐ No

[Read O.Reg. 191/11 s. 3: Establishment of accessibility policies](#)

[Learn more about your requirements for question 4](#)

Comments for question 4 [Policy EBS-54: Corporate Accessibility Policy includes a statement of commitment under Policy Statement section](#)

5. Does your organization have a document or documents of your accessibility policies publicly available and, on request, provide them in an accessible format? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 3 \(3\): Establishment of accessibility policies](#)

[Learn more about your requirements for question 5](#)

Comments for question 5 [Policy EBS-54: Corporate Accessibility Policy is publicly available on the Norfolk County website and, on request, available in an accessible format.](#)

6. Has your organization established, implemented, maintained and posted a multi-year accessibility plan on your organization's website? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 4: Accessibility plans](#)

[Learn more about your requirements for question 6](#)

Comments for question 6 [Norfolk County has established, implemented and maintained a Multi Year Accessibility Plan. The Plan spans from 2018-2022 and is readily available on the Norfolk County Website](#)

7. Has your organization completed a review of its progress implementing the strategy outlined in its accessibility plan and documented the results in an annual status report posted on the organization's website? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 4 \(1\), 4\(3\): Accessibility plans](#)

[Learn more about your requirements for question 7](#)

Comments for question 7 [Norfolk County completes annual reviews of its progress implementing the strategy outlined in the Multi Year Accessibility Plan. Annual Status Reports are readily available on the Norfolk County Website](#)

8. Did your organization consult with people with disabilities when establishing, reviewing and updating its multi-year accessibility plan? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 4 \(2\): Accessibility plans](#)

[Learn more about your requirements for question 8](#)

Comments for question 8 [As outlined in the Multi Year Accessibility Plan, people with disabilities were consulted when establishing, reviewing and updating the Plan](#)

9. Does your organization provide the appropriate training on the Integrated Accessibility Standards Regulation and the Human Rights Code as it pertains to persons with disabilities? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 7: Training](#)

[Learn more about your requirements for question 9](#)

Comments for question 9 [As outlined in EBS-54-AOP-09 Corporate Accessibility Training Process, Policy Statement Section, training is provided on the Integrated Accessibility Standards Regulation and the Human Rights Code as it pertains to persons with disabilities](#)

10. Were all persons that require training trained as soon as practicable? Under Section 7(1) of the Integrated Accessibility Standards Regulation, the following persons require training: (a) all persons who are an employee of, or a volunteer with, the organization; (b) all persons who participate in developing the organization's policies; and (c) all other persons who provide goods, services or facilities on behalf of the organization. * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 7 \(3\): Training](#)

[Learn more about your requirements for question 10](#)

Comments for question 10 [All individuals requiring training are trained as soon as practicable under EBS-54-AOP-09 Corporate Accessibility Training Process, Policy Statement section](#)

11. Does your organization provide training in respect of any changes to your accessibility policies on an ongoing basis? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 7 \(4\): Training](#)

[Learn more about your requirements for question 11](#)

Comments for question 11 [Norfolk County provides training in respect to any changes to the Corporate Accessibility Policy on an ongoing basis as outlined in EBS-54-AOP-09 Corporate Accessibility Training Process, Policy Statement section](#)

12. Does your organization keep a record of the training provided, including the dates on which the training is provided and the number of individuals to whom it is provided? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 7 \(5\): Training](#)

[Learn more about your requirements for question 12](#)

Comments for question 12 [Norfolk County, specifically the Staff Development Coordinator, Human Resources, keeps records of the training provided, including the dates on which the training is provided and the number of individuals to whom it was provided](#)

13. Does your organization ensure that its public feedback processes are accessible to persons with disabilities by providing or arranging accessible formats or communication supports, upon request, and do you notify the public of this accessible feedback policy? ☒ Yes ☐ No

Note: "public" can include customers, clients, third parties, or businesses. *

[Read O. Reg. 191/11 s. 11: Feedback](#)

[Learn more about your requirements for question 13](#)

Comments for question 13 [All requirements under O. Reg. 191/11 s.11: Feedback are met as outlined in Policy EBS-55 Corporate Customer Service Feedback Process](#)

Information and communications

14. As of January 1, 2021, do all your organization's internet websites conform to World Wide Web Consortium Web Content Accessibility Guidelines 2.0 Level AA (except for live captions and pre-recorded audio descriptions)? Please indicate in the comment box provided the complete names and addresses of your publicly available web content, including websites, social media pages, and apps *

☐ Yes ☒ No

[Read O. Reg. 191/11 s. 14 \(4\): Accessible websites and web content](#)

[Learn more about your requirements for question 14](#)

Publicly
available web
content and
comments for
question 14

norfolkcounty.ca
<https://cruisethecoast.ca/>
<https://delhimuseum.ca/>
<https://hnhousing.org/>
<https://hnhss.ca/>
<https://hnss.org/>
<https://nca-ebdm.ca/>
<https://norfolkbusiness.ca/>
<https://norfolkcountyfire.ca/>
<https://portdovermuseum.ca/>
<https://portdovermuseum.ca/>
<https://teetervillemuseum.ca/>
<https://waterfordmuseum.ca/>
nhu.org
https://m.facebook.com/NorfolkCountyHeritageCulture?_rdr
https://www.instagram.com/norfolkcty_heritage_culture/
<https://www.facebook.com/NorfolkRecreation/>
<https://twitter.com/norfolkrec>
<https://www.facebook.com/Norfolk-County-Tourism-Economic-Development-1290531971030286>
<https://twitter.com/investnorfolk>
<https://www.youtube.com/c/NorfolkCountyOntarioSouthCoast>
<https://www.facebook.com/Norfolk-County-Clerk-130362897555180>
<https://www.facebook.com/norfolkcountyfire>
<https://www.facebook.com/NorfolkLibrary/>
<https://www.instagram.com/norfolklibrary/?hl=en>
[https://www.facebook.com/NorfolkCountyCA - 6,000](https://www.facebook.com/NorfolkCountyCA-6000)
<https://www.youtube.com/channel/UCpz4tpLVdDV4xJKICreRCHA>
<https://www.facebook.com/norfolkcountyarchives/>
<https://www.facebook.com/hnhealthunit/>
<https://www.instagram.com/hnhealthunit/?hl=en>
<https://www.facebook.com/NorfolkPlanning/>

Employment

15. Does your organization notify successful applicants of its policies for accommodating employees with disabilities during offers of employment? *

☒ Yes ☐ No

[Read O. Reg. 191/11 s. 24: Notice to successful applicants](#)

[Learn more about your requirements for question 15](#)

Comments for
question 15

Successful applicants are notified of Norfolk County's policies for accommodating employees with disabilities during offers of employment as outlined in Policy EBS-54: Corporate Accessibility Policy: Accessible Workplace section

16. Does your organization develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 28: Documented individual accommodation plans](#)

[Learn more about your requirements for question 16](#)

Comments for question 16 [Norfolk County has developed and has in place a written process for the development of documented individual accommodation plans for employees with disabilities as outlined in Policy OHS-05a Individual Accommodation Plan](#)

Transportation

17. Does your organization provide transportation services? * ☒ Yes ☐ No
(If Yes, you will be required to answer an additional question.)

[Read O. Reg. 191/11 Part IV: Transportation standards](#)

[Learn more about your requirements for question 17](#)

- 17.a. Does your organization conduct employee and volunteer accessibility training on the safe use of accessibility equipment and features of your transportation vehicles? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 36: Accessibility training](#)

[Learn more about your requirements for question 17.a](#)

Comments for question 17.a [Norfolk County conducts employee and volunteer accessibility training on the safe use of accessibility equipment and features of Ride Norfolk vehicles as per Policy CSD-12 Ride Norfolk Accessibility Policy](#)

Design of public spaces

18. Since your organization last reported on its accessibility compliance, has your organization constructed new or redeveloped existing off-street parking facilities that it intends to maintain? * ☒ Yes ☐ No
(If Yes, you will be required to answer an additional question.)

[Read O. Reg. 191/11 Part IV.1: Design of public spaces standards](#)

[Learn more about your requirements for question 18](#)

- 18.a. When constructing new or redeveloping off-street parking facilities that your organization intends to maintain, does it ensure that the off-street parking facilities meet the accessibility requirements as outlined in the Design of Public Spaces standards? * ☒ Yes ☐ No

[Read O. Reg. 80.32-37: Accessible parking](#)

[Learn more about your requirements for question 18.a](#)

Comments for question 18.a [All off-street parking facilities meet the accessibility requirements as laid out under O.Reg. 191/11 s. 80.32-37](#)

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19. Since your organization last reported on accessibility compliance, has your organization constructed new or redeveloped existing outdoor play spaces that it intends to maintain? * ☒ Yes ☐ No
(If Yes, you will be required to answer an additional question.)

[Read O. Reg. 191/11 Part IV.1: Design of public spaces standards](#)

[Learn more about your requirements for question 19](#)

- 19.a. When constructing new or redeveloping existing outdoor play spaces, did your organization consult with the public and persons with disabilities on the needs of children and caregivers, and if you represent a municipality did your organization consult with the municipal advisory committee where one was established as outlined in s. 80.19 of the Integrated Accessibility Standards Regulation? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 80.19: Outdoor play spaces](#)

[Learn more about your requirements for question 19.a](#)

Comments for question 19.a [Norfolk County always consults with the public and persons with disabilities on the needs of children and caregivers. Additionally, the Norfolk County Accessibility Advisory Committee is consulted as outlined in s. 80.19 of the IASR](#)

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20. Does your organization's multi-year accessibility plan include procedures for preventative and emergency maintenance of the accessible elements in public spaces, and for dealing with temporary disruptions when accessible elements required under the Integrated Accessibility Standards Regulations Part IV are not in working order? * ☒ Yes ☐ No

[Read O. Reg. 191/11 s. 80.44: Maintenance of accessible elements](#)

[Learn more about your requirements for question 20](#)

Comments for [Norfolk County's Multi Year Accessibility Plan meets all requirements as outlined under O.](#)

Confirmation questions

21. Other than the requirements cited in the above questions, is your organization complying with all other requirements for the **Information and Communications Standards** under the Integrated Accessibility Standards Regulation? *

☒ Yes ☐ No

[Read O. Reg. 191/11 Part II: Information and communications standards](#) [Learn more about your requirements for question 21](#)

Comments for question 21 [Norfolk County complies with all other requirements under the Information and Communications Standards](#)

22. Other than the requirements cited in the above questions, is your organization complying with all other requirements for the **Employment Standards** under the Integrated Accessibility Standards Regulation? *

☒ Yes ☐ No

[Read O. Reg. 191/11 Part III: Employment standards](#) [Learn more about your requirements for question 22](#)

Comments for question 22 [Norfolk County complies with all other requirements under the Employment Standards](#)

23. Other than the requirements cited in the above questions, is your organization complying with all other requirements for **Transportation Standards** under the Integrated Accessibility Standards Regulation? *

☒ Yes ☐ No

[Read O. Reg. 191/11 Part IV: Transportation standards](#) [Learn more about your requirements for question 23](#)

Comments for question 23 [Norfolk County complies with all other requirements for the Transportation standards](#)

24. Other than the requirements cited in the above questions, is your organization complying with all other requirements for the **Customer Service Standards** under the Integrated Accessibility Standards Regulation? *

☒ Yes ☐ No

[Read O. Reg. 191/11 Part IV.2: Customer service standards](#) [Learn more about your requirements for question 24](#)

Comments for question 24 [Norfolk County complies with all other requirements for the Customer Service Standards](#)

25. Other than the requirements cited in the above questions, is your organization complying with all other requirements for the **Design of Public Spaces Standards** under the Integrated Accessibility Standards Regulation? *

☒ Yes ☐ No

[Read O. Reg. 101/11 Part IV.1: Design of Public Spaces standards](#) [Learn more about your requirements for question 25](#)

Comments for question 25 [Norfolk County complies with all other requirements under the Design of Public Spaces Standards](#)