



Staff Report

Human Resources

Report To: Committee of the Whole
Meeting Date: October 23, 2017
Report Number: FAF.17.124
Subject: Accessibility Standards for Customer Service
Prepared by: Jennifer Moreau, Manager Human Resources

A. Recommendations

THAT Council receive the Staff Report FAF.17.124 “Accessibility Standards for Customer Service” for information;

AND THAT Council approve the staff recommended revisions to the revised policy.

B. Overview

This is a report that details revisions following a regular review of the policy titled, Accessibility Standards for Customer Service.

C. Background

The Accessibility for Ontarians with Disabilities Act, 2005 (the “AODA”) is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises.

Under the AODA, Ontario Regulations 429/07 entitled “Accessibility Standards for Customer Service” came into force on January 1, 2008. That Regulation establishes accessibility standards specific to customer service for public sector organizations and other persons or organizations that provide goods and services to members of the public or other third parties.

This policy is drafted in accordance with the Accessibility Standards for Customer Service (Ontario Regulation 429/07).

D. Analysis

The Accessibility Standards for Customer Service was first approved in February 2010 as an administrative policy for the Town (approved at Senior Management Team level). It has since been revised in September of 2016 and reviewed by the internal AODA committee recently.

The Committee recommended and SMT concurred that this policy should be a Corporate policy of Council as it applies to the Corporation. The policy is before Council to adopt as a Corporate policy to align with POL.COR.13.16 – Integrated Accessibility Standards Regulation Policy.

E. The Blue Mountains Strategic Plan

Goal #4: Promote a Culture of Organizational & Operational Excellence

F. Environmental Impacts

None

G. Financial Impact

None

H. In consultation with

- Ruth Prince, Director Finance & IT Services
- Michael Benner, Director Planning & Development Services
- Reg Russwurm, Director Infrastructure & Public Works
- Shawn Everitt, Acting CAO
- Rob Collins, Director Enforcement and Fire Services
- AODA Committee

I. Attached

1. Accessibility Standards for Customer Service Policy

Respectfully Submitted,

Jennifer Moreau
Manager Human Resources

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Accessibility Standards for Customer Service Policy



Accessibility Standards for Customer Service Policy

~~POL.AODA.10.01~~

POL.COR.XX.XX

Policy Type: ~~Administrative~~ Corporate Policy (Approved by ~~CAO~~ Council)

Date Approved: February 8, 2010

Department: Administration

Revision Dates: September 6, 2016

Policy Statement

The Corporation of the Town of The Blue Mountains (The Town) is committed to providing quality goods and services that are accessible to all persons.

Purpose

The Accessibility for Ontarians with Disabilities Act, 2005 (the "AODA") is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises.

Under the AODA, Ontario Regulations 429/07 entitled "Accessibility Standards for Customer Service" came into force on January 1, 2008. That Regulation establishes accessibility standards specific to customer service for public sector organizations and other persons or organizations that provide goods and services to members of the public or other third parties.

This policy is drafted in accordance with the Accessibility Standards for Customer Service (Ontario Regulation 429/07) and addresses the following:

1. The provision of goods and services to persons with disabilities;
2. The use of assistive devices by persons with disabilities;
3. The use of service animals by persons with disabilities;
4. The use of support persons by persons with disabilities;
5. Notice of temporary disruptions in services and facilities;

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6. Training;
7. Customer feedback regarding the provision of goods and services to persons with disabilities; and
8. Notice of availability and format of documents.

Application

his policy applies to all persons who deal with members of the public including other third parties working on behalf of The Town, whether the person does so as an employee, member of Council, agent, volunteer, student on placement or otherwise, and all persons who participate in developing the Town's policies, practices and procedures governing the provision of goods and services to members of the public or other third parties.

Definitions

Assistive Device

A device used to assist persons with disabilities in carrying out activities or in accessing the services of persons or organizations covered by the Customer Service Standard.

Town

The Corporation of the Town of The Blue Mountains.

Disability

- a) Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) A condition of mental impairment or a developmental disability,
- c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) A mental disorder, or
- e) An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

Guide Dog

A guide dog as defined in section 1 of the Blind Persons' Rights Act is a dog trained as a guide for a blind person, and having qualifications prescribed by the regulations under the Blind Persons' Rights Act.

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Regulated Health Professional

For the purpose of documentation confirming the needs for a service animal, documentation is acceptable from any of the following:

- A member of the College of Audiologists and Speech-Language Pathologists of Ontario
- A member of the College of Chiropractors of Ontario
- A member of the College of Nurses of Ontario
- A member of the College of Occupational Therapists of Ontario
- A member of the College of Optometrists of Ontario
- A member of the College of Physicians and Surgeons of Ontario
- A member of the College of Physiotherapists of Ontario
- A member of the College of Psychologists of Ontario
- A member of the College of the Registered Psychotherapists and Registered Mental Health Therapists of Ontario

Service Animal

Any animal used by a person with a disability for reasons relating to the disability where it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or where the person provides a letter from a regulated health professional confirming that he or she requires the animal for reasons relating to his or her disability; or a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

Support Person

A person who accompanies a person with a disability in order to assist him or her with communication, mobility, personal care, medical needs or with access to goods or services.

Procedures

General Principles

a. The Provision of Goods and Services to Persons with Disabilities

The Town will use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:

- The Town's goods and services are provided in a manner that respects the dignity and independence of persons with disabilities;
- The provision of the Town's goods and services to persons with disabilities are integrated with those provided to persons who do not have disabilities unless an alternative measure is necessary to enable a person with a disability to obtain, use or benefit from the Town's goods and services.

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b. Communication with Persons with Disabilities

The Town will make reasonable efforts to publicize the availability of services for persons with disabilities. Town employees will make every reasonable effort to communicate effectively, and in an appropriate manner and format, with persons with a disability (or their support person) who have made their requirements known to the Town. Where provision of services under this policy would require a significant investment of Town Staff and/or resources, the Town may require that a completed Request for Alternative Documentation in Alternative Format form (Appendix A) be submitted to the Town Clerk.

It is the Town's expectation that communications between Town Employees and the General Public will be conducted with dignity, respect and fairness by and for all parties.

c. Notice of Temporary Disruptions in Services and Facilities

The Town is aware that the operation of its services and facilities is important to all persons. However, temporary disruptions in the Town's services and facilities may occur due to reasons that may or may not be within the Town's control or knowledge.

The Town will make reasonable efforts to provide notice of the disruption to the public, including information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if any, that may be available (Appendix B). The Town will make reasonable effort to provide prior notice of planned disruption if possible, recognizing that in some circumstances such as in the situation of unplanned temporary disruption, advance notice will not be possible. In such cases, The Town will provide notice as soon as possible.

When temporary disruptions occur to the Town's services of facilities, the Town will provide notice by posting the information in visible places, and/or on the Town's website (www.thebluemountains.ca), and/or by any other method that may be reasonable under the circumstances as soon as reasonably possible.

d. Assistive Devices and other Measures that Assist with Accessibility

A person with a disability may provide his/her own assistive device for the purpose of obtaining, using and benefitting from the Town's goods and services. Exceptions may occur in situations where the Town has determined that the assistive device may pose a risk to the health and safety of a person with a disability or the health and safety of others on the premises.

In these situations and others, the Town may offer a person with a disability other reasonable measures to assist him or her in obtaining, using and benefitting from the Town's goods and services, where the Town has such other measures available.

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It should be noted that it is the responsibility of the person with a disability to ensure that his or her assistive device is operated in a safe and controlled manner at all times.

e. Service Animal

Persons with a disability may enter premises owned and/or operated by The Town accompanied by a service animal and keep the animal with them if the public has access to such premises and the animal is not otherwise excluded by law. If a service animal is excluded by law, the Town will ensure that alternate means are available to enable the person with a disability to obtain, use or benefit from the Town's goods and services.

If it is not readily apparent that the animal is a service animal, the Town may ask the person with a disability to provide documentation from a regulated health professional confirming that the person requires the animal for reasons relating to his or her disability.

It should be noted that it is the responsibility of the person with a disability to ensure that his or her service animal is kept in control at all times.

f. Support Persons

A person with a disability may enter premises owned and/or operated by the Town with a support person and have access to the support person while on the premises.

The Town may require a person with a disability to be accompanied by a support person while on Town premises in situations where it is necessary to protect the health and safety of the person with a disability or the health and safety of others on the premises. Before making a decision, the Town shall:

- Consult with the person with a disability to understand their needs;
- Consider health and safety reasons based on available evidence;
- Determine if there is no other reasonable way to protect the health or safety of the person or others on the premises.

A support person, when assisting a person with a disability to obtain, use or benefit from the Town's goods and services, will be permitted to attend at no charge where an admission fee is applicable.

g. Feedback

The Town of The Blue Mountains is committed to providing high quality goods and services to all members of the public it serves. Feedback from the public is welcomed as it may identify areas that require change and encourage continuous service improvements.

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Feedback from a member of the public about the delivery of goods and services to persons with disabilities may be given by telephone, in person, in writing, in electronic format or through other methods (Appendix C).

Information about the feedback process will be readily available to the public and notice of the process will be posted on the Town's website (www.thebluemountains.ca) and/or appropriate locations.

h. Training

The Town will ensure that all persons to whom this policy applies receive training as required by the Accessibility Standards for Customer Service. The amount and format of training given will be tailored to suit each person's interactions with the public and his or her involvement in the development of policies, procedures and practice pertaining to the provision of goods and services.

The content of the training will include:

- A review of the purposes of the AODA;
- The requirements of the Accessibility Standards of Customer Service (Ontario Regulation 429/07);
- Instruction on the Town's current policies, procedures and practices pertaining to the provision of goods and services to persons with disabilities;
- How to interact and communicate with persons with various types of disabilities;
- What to do if a person with a particular type of disability is having difficulty accessing the Town's goods and services;
- How to interact with persons with disabilities who use assistive devices or who require the assistance of a support person or service animal; and
- Information about the equipment or devices available on the Town's premises that may help with the provision of goods or services to persons with disabilities.

Timeline for Training

Training will be provided as soon as practicable upon an individual being assigned the applicable duties as well as on an ongoing basis as changes occur to the Town's policies, procedures and practices governing the provision of goods or services to persons with disabilities.

Record of Training

The Town will keep records of the training, including the date on which training is provided and the number of individuals to whom it is provided. The names of individuals trained will be recorded for training administration purposes, subject to the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA").

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i. Availability and Format of Documents Required by the Accessibility Standards for Customer Service (Ontario Regulation 429/07)

All documents required by the Accessibility Standards for Customer Service, including the Town’s accessible Customer Service policies, procedures and practices, notices of temporary disruptions, training records, and written feedback process are available upon request, subject to MFIPPA

When providing a document to a person with a disability, the Town will make every reasonable effort to provide the document, or the information contained in the document, in a format that takes the person’s disability into account and within a reasonable timeframe.

j. Notice of the Availability of Documents

Notice of the availability of all documents required by the Accessibility Standards for Customer Service will be posted on the Town’s website and will be available at the Town Administrative Reception Area and through the Town Clerk’s Office. The required documents include a Feedback on Service Form and a Notice of Disruption of Service Form. The Town will also provide a Request for Documentation in Alternative Format form (Appendix A) relating to all Town documents, document availability subject to the provisions of the *MFIPPA*.

Exclusions

Under the AODA, Ontario Regulations 429/07 entitled “Accessibility Standards for Customer Service” all persons, whether an employee, member of Council, agent, volunteer, student on placement or otherwise, and all persons who participate in developing The Town’s policies, practices and procedures governing the provision of goods and services to members of the public or other third parties are to be trained. Therefore, there are no exclusions at this time.

References and Related Policies

- “Accessible Customer Service Policy Required for the Implementation of the Accessibility for Ontarians with Disabilities Act (AODA 2005).” City of London
- “Accessibility Standards for Customer Service, Summary of Requirements.” Access ON, Breaking Barriers Together
- “Compliance Manual: Accessibility Standards for Customer Service, Ontario Regulation 429/07.” Ministry of Community and Social Services

Accessibility Standards for Customer Service Policy

Consequences of Non-Compliance

Failure to abide by this policy may result in progressive discipline, up to and including termination.

Review Cycle

This policy will be reviewed annually by the Council, the C.A.O., the Senior Management Team and the Town’s AODA committee.

Troy Speck, CAO

Date