

Accessibility Standards for Customer Service

WORKSHOP RESOURCES

for the mental health and addictions sector



Accessibility Standards for Customer Service

for the mental health and
addictions sector

Developed in partnership with the Accessibility Directorate of Ontario by:

- Ontario Federation of Community Mental Health and Addiction Programs
- Ontario Peer Development Initiative
- Ontario Association of Patient Councils

What does disability mean to you?

- Write down the first word that came to mind when you read the word “disability”.
- In your group:
 - Discuss why that word was top of mind for each member in your group.
 - How do our answers reflect the general perception of disabilities?

Not all disabilities are visible



Objectives of today's session: Equip agencies with facts & tools

- Gain an understanding of the Accessibility for Ontarians with Disabilities Act, 2005
- Learn what organizations must do to comply with the customer service standard
- Become familiar with AccessON.ca resources and the tool kit
- Respond to your questions

Act and regulations work together

Accessibility for Ontarians With Disabilities Act (AODA) (the Act)

<p>Purpose of the Act:</p> <ul style="list-style-type: none"> Benefit all Ontarians by developing, implementing and enforcing accessibility standards in order to achieve accessibility for Ontarians with disabilities with respect to goods [and] services Providing for the involvement of persons with disabilities and others in the development of accessibility standards 	<p>Definitions such as:</p> <ul style="list-style-type: none"> "accessibility standard" "barrier" "disability" "organizations" "regulations"
<p>Establishment of accessibility standards and contents:</p> <ul style="list-style-type: none"> sets out measures, policies, practices, etc. to identify and remove barriers determines person or organization the accessibility standard applies to may create classes of persons or organizations, etc. to which standard or sections of the standard applies 	<p>Compliance with accessibility standards:</p> <ul style="list-style-type: none"> compliance within timeframe will set by each accessibility standard requirement for filing report report to be made public <p>General:</p> <ul style="list-style-type: none"> penalties for non-compliance conflict with other acts

Accessibility Standards for Customer Service (the standard) (Ontario Regulation 429/07 and 430/07)

<p>Purpose of the Standards for Customer Service:</p> <ul style="list-style-type: none"> Establishes accessibility standards for customer service 	<p>Definitions such as:</p> <ul style="list-style-type: none"> "designated public sector organization" "provider of goods or services" "guide dog" "service animal" "support person"
<p>Sets out policies, practices and other requirements to remove barriers to providing accessible customer service to people with disabilities:</p> <ul style="list-style-type: none"> establishment of policies, practices and procedures for providing services to persons with disabilities training for staff and others feedback process and complaint procedure documentation required for organizations with ≥ 20 staff 	<p>Requirements:</p> <ul style="list-style-type: none"> deadlines are 01/01/2010 or 01/01/2012 reports must be filed if organization has ≥ 20 staff (Reg 429/07) format of reports described

Tool kit has act, standard & samples



Ontario Regulation 429/07 Accessibility Standards for Customer Service

"Establishment of policies, practices and procedures"

3. 1) Every provider of goods or services shall establish policies, practices and procedures governing the provision of its goods or services to persons with disabilities.
- 2) The provider shall use reasonable efforts to ensure that its policies, practices and procedures are consistent with the following principles:
 1. The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.
 2. The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.
 3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.
- 3) Without limiting subsections (1) and (2), the policies must deal with the use of assistive devices by persons with disabilities to obtain, use or benefit from the provider's goods or services or the availability, if any, of other measures which enable them to do so.
- 4) When communicating with a person with a disability, a provider shall do so in a manner that takes into account the person's disability.

ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE

Overview

Standard contains specific and general requirements

The customer service standard has both specific and general requirements. Specific requirements tell providers what they must do. General requirements tell providers what they must achieve, while allowing them to decide how to do it.

Policies, procedures and practices

In this section of the tool kit, "Section A, Establish policies, procedures and practices", describes the steps that can be started now to prepare for compliance by the deadline. Sections B to E summarize the additional ongoing obligations contained in the standard and Section F addresses documentation requirements for organizations with 20 or more employees.

There are three choices for establishing policies, procedures and practices:

- **Integrate into existing policies:** Integrate the requirements of the standard within existing policies, procedures and practices relating to consumer or client service.
- **Create separate policies:** Create separate policies, procedures and practices that specifically address providing consumer or client service to people with disabilities.
- **Use a combination:** Integrate requirements into existing policies, procedures and practices where they fit and create new ones for specific requirements.

Steps for compliance

A. Establish policies, procedures and practices

1. **Establish service policies:** Establish policies, procedures and practices on how your organization will provide services to people with disabilities.
2. **Incorporate principles:** Ensure your organization uses all reasonable effort in policy, procedure and practice development to be consistent with the principles of:
 - **Dignity:** Service is provided in a way that allows a person with a disability to maintain self-respect and the respect of others.
 - **Independence:** When accessing service, a person with a disability can do things on their own without unasked-for help or interference from others or is consulted about his or her preferences.
 - **Integration:** Service is provided in a way that allows the person with a disability to benefit from the same services, in the same place and in the same or comparable way as other consumers, unless an alternative is necessary to enable a person with a disability to access the services.
 - **Equal opportunity:** Service is provided to a person with a disability that gives him or her the same opportunities for service and range of services as given to others.

AODA makes Ontario accessible for people with disabilities

- The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) became law on June 13, 2005.
- The purpose of the AODA is to make Ontario accessible to people with disabilities by January 1, 2035.

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Standards specify how to make Ontario accessible

- The AODA allows government to:
 - Develop specific standards of accessibility for people with disabilities and enforce them
 - Standards are then made into regulations that provide details about how accessibility will be achieved
 - Require organizations to implement the requirements of the standard within the time periods specified or face penalties

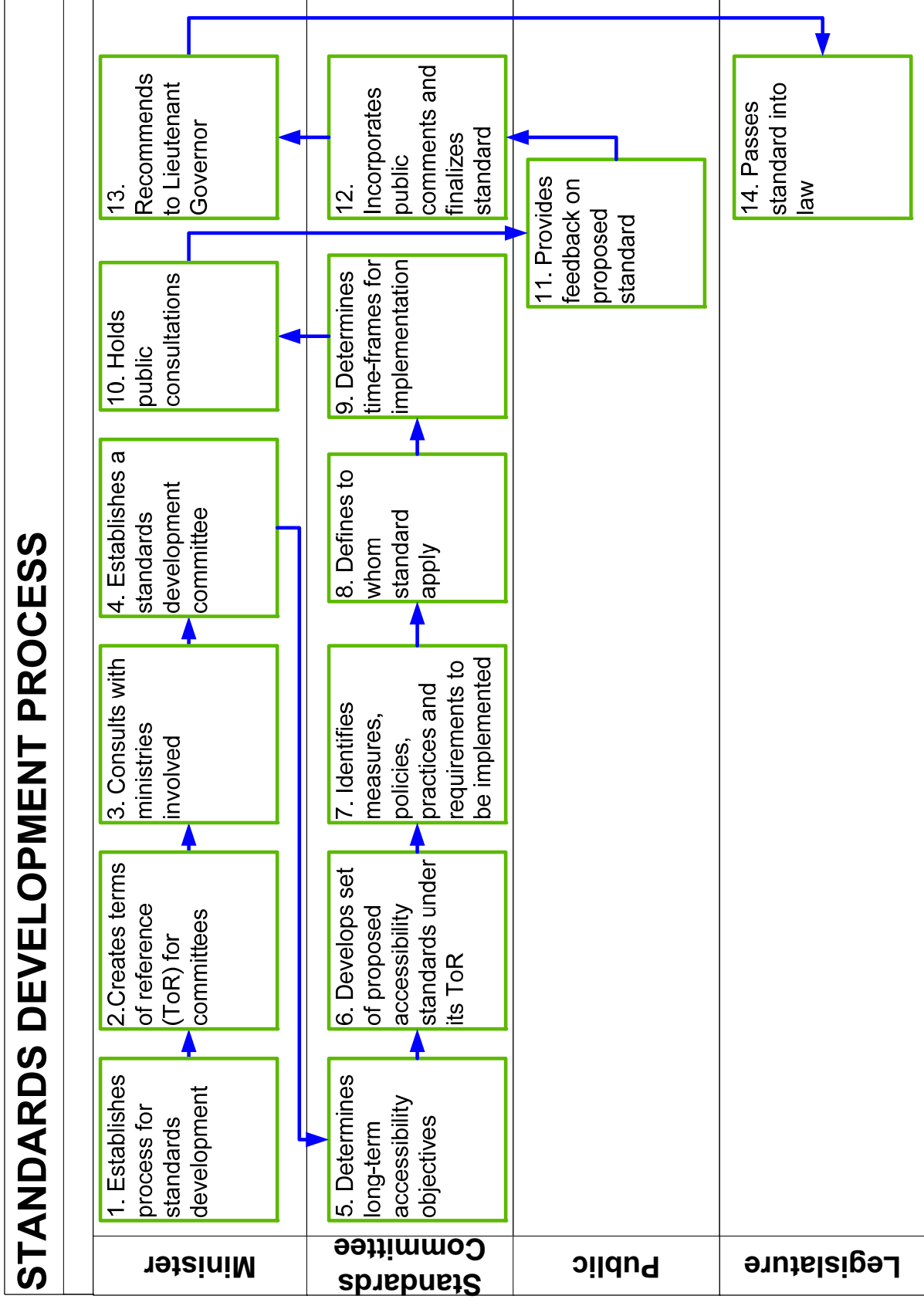
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Standards set requirements

- Standards address how organizations will achieve accessibility in five broad areas:
 - customer service
 - transportation
 - information and communications
 - employment
 - built environment
- Standards can require policies, measures, practices or other requirements that need to be met to identify, prevent and remove barriers.

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Standards developed by consultation



Standards apply to most organizations

- An accessibility standard applies to a person or organization that does at least one of the following activities:
 - provides goods, services or facilities
 - employs people in Ontario
 - offers accommodation
 - owns or occupies a building, structure or premises
 - plays a part in a business or other activity that the regulations may identify

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Standards specify reporting requirements

- Organizations that are required to comply with a standard must also comply with the reporting requirements of that standard.
- Due dates and frequency of reporting are contained in each standard.
- If a report is required, it must also be available to the public.

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Failing to comply with standards can incur penalties

- Administrative penalties may result if an organization does not:
 - comply with the accessibility standard within the time specified
 - file an accessibility report on time, if required by a standard
 - file a report that was requested by the government
 - comply with a previous order

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Fines for not complying may be substantial

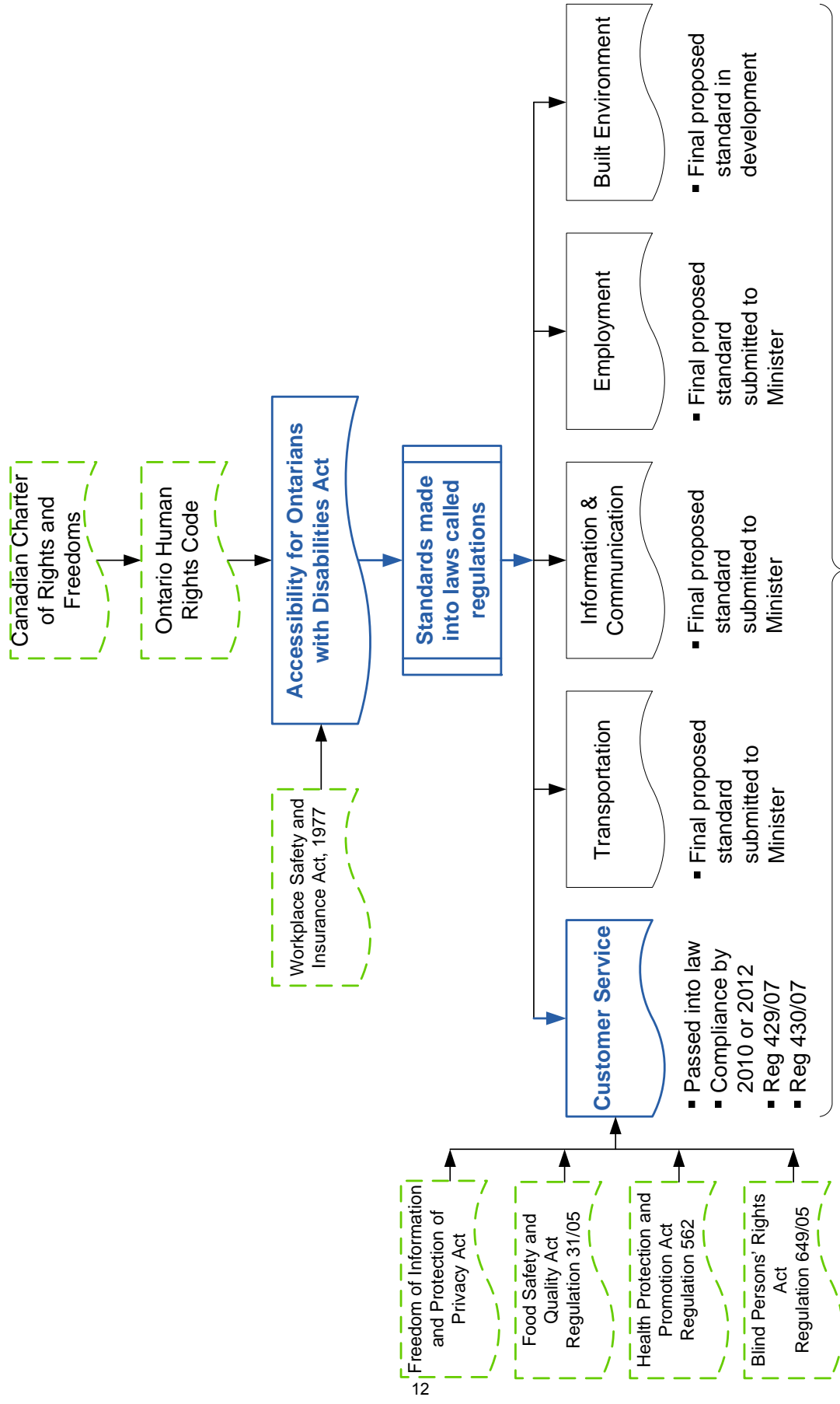
- If guilty of an offence under the AODA
 - an individual is liable to a fine of not more than \$50,000 per day as long as the offense continues
 - a corporation is liable to a fine of not more than \$100,000 per day as long as the offense continues

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Directors and officers have duty to prevent offences and are liable

- “Every director or officer of a corporation has a duty to take all reasonable care to prevent offenses.” Section 37 (4)
- “Every director or officer of a corporation who has a duty under subsection (4) and who fails to carry out that duty is guilty of an offence and on conviction is liable to a fine of not more than \$50,000 for each day or part of a day on which the offence occurs or continues to occur.” Section 37 (5)

AODA & standards relate to other laws



“Disability” is defined in the AODA

- “Disability” covers a broad range and degree of conditions, some visible and others not.
- “Disability” in the AODA means:
 - “any degree of physical disability, infirmity, malformation or disfigurement caused by bodily injury, birth defect or illness
 - a condition of mental impairment or a developmental disability
 - a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
 - a mental disorder
 - an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.”

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OHRC provides information about mental disabilities

- “Protection for persons with mental disabilities deserves special attention. These persons have the same rights as persons with any other kind of disability. They may, however, have trouble expressing themselves or even identifying that they have a disability.”

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OHRC also provides information about addictions

- “Severe substance abuse is classified as a form of substance dependence, which has been recognized as a form of disability. Examples are alcoholism and the abuse of legal or illicit drugs.”
- “Where an individual is *perceived* as having an addiction or dependency due to drug or alcohol use, the *Code* will protect that individual.”
- “An individual who has had a drug or alcohol dependency in the past, but who no longer suffers from an ongoing disability, is still protected by the *Code*.” [\(OHRC Policy On Drug And Alcohol Testing\)](#)

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Stigma of mental illness & addictions may prevent self-identification

- Some people with mental illness or addictions do not want to be identified as having a disability because of stigma.
- If someone chooses not self-identify as a person with a disability, that person is still considered as having a disability under the Act.
- Organizations must adhere to the Act and the standards when providing service to them.

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There are several types of barriers people with disabilities face

- Attitude
 - can be based on lack of knowledge, fear of doing the wrong thing or discomfort

Technology

- can prevent people from accessing information

- Systemic
 - can occur through policies, procedures, practices, rules or values

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Customer service standard is aimed at making service accessible

- Accessibility Standards for Customer Service (the standard) came into force on January 1, 2008.
- People, businesses and other organizations that provide goods or services to the public or to other businesses or organizations in Ontario (“providers”) have legal obligations under the standard.
- The standard is aimed at making their customer service operations accessible to people with disabilities.

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Most organizations must comply

- The standard applies to all people or organizations in Ontario that:
 - are private, not-for-profit, public
 - provide goods or services
 - have one or more employees
- Organizations under federal jurisdiction may be exempt:
 - banks, airlines, telecommunications
 - organizations on First Nation reserves managed by the band council or programs under federal works

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If have 20 or more employees, documentation requirements apply

- Employees mean:
 - full-time, part-time, seasonal and contract
- All must be counted when determining the number of employees in an organization.
- Exclude from the count:
 - volunteers and independent contractors/consultants
- Counts may vary on when counting is done:
 - anytime there is one or more employees, compliance with the standard is required
 - if employee count reaches 20 or more, compliance with documentation requirements is required

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Deadlines for compliance varies with organizational type

- Deadlines for complying with the customer service standard depend on whether or not an organization is a designated public sector organization.
 - **January 1, 2010** – for all **designated** public sector and broader public sector organizations.
 - **January 1, 2012** – for all other providers with at least one employee.

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Summary of requirements

Requirements	1 to 19 employees	20 or more employees
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Comply with standard



Comply with document requirements



File accessibility report



Resources are available at AccessOn.ca

- **Understanding the standard**
 - [The Guide to the Accessibility Standards for Customer Service](#)
 - This guide explains the standard and provides some examples to help you understand it.
 - [Summary of requirements](#)
 - The summary will help you understand what your requirements are under the standard.
- **Complying with the standard**
 - [The Compliance Manual](#)
 - The manual will help you learn how your organization can meet the requirements of the customer service standard. You can find templates for policies and notices here.
 - [Serve-Ability](#)
 - This online course will help you learn how to serve customers with disabilities. This tool supports the training requirement in the customer service standard.
- **Training Resource**
 - [Full-length training resource](#)
 - This training tool will help you train your staff about serving customers with disabilities.
- **Reporting compliance with the standard**
 - [Sample Questions for the Accessibility Report on the Customer Service Standard](#)
 - These are sample questions for the accessibility report on the Accessibility Standards for Customer Service.
 - [Notice concerning the filing of accessibility reports for the customer service standard](#)
 - The notice provides filing dates for designated public sector organizations and private and non-for-profit organizations with 20 or more employees.

Develop a work plan

Sample work plan

<p>1. Set goals for compliance</p>		<p>3. Conduct internal audit of current client service policies, procedures and practices</p>
<p>4. Determine service philosophy and approach to policies, procedures and practices on serving clients with disabilities:</p> <ul style="list-style-type: none"> a. integrate into existing policies b. create separate policies c. combination 	<p>5. Develop new or revised policies, procedures and/or practices including</p> <ul style="list-style-type: none"> a. use of personal assistive devices b. communicating with people with disabilities c. use of service animals d. notice of temporary disruptions 	<p>6. Establish training program and train senior management, board members, staff, volunteers, students and third parties who:</p> <ul style="list-style-type: none"> a. provide service to clients b. develop policies, procedures and practices
<p>7. Establish feedback and complaint-handling process</p>	<p>8. Prepare documentation, if organization has 20 or more employees</p>	<p>9. File accessibility report, if agency has 20 or more staff</p>

1. Establish service policies, procedures and practices

- Establish policies, procedures and practices on how your organization will provide services to people with disabilities.
 - The standard does not specify what policies, procedures and practices on providing goods or services to people with disabilities must contain.

Number of employees	Policy requirements
1 to 19	policies, etc. may be informal
20 or more	policies, etc. must be in writing

2. Standard requires consistency with four principles

- Ensure your organization uses all reasonable effort in policy, procedure and practice development to be consistent with the principles of:
 - dignity
 - independence
 - integration
 - equal opportunity

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3. Develop personal assistive devices policy

- Develop a policy on allowing people to use their own assistive devices to access your services.
 - Include in the policy any assistive devices or other measures your organization offers to help people with disabilities use your services
 - Provide information to consumers about how they can access those devices or measures

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Newer assistive devices



Braille cell & text message



Braille 'n Speak used to take notes in Braille



Screen magnifier



Telephone, TTY & amplified phone combination



Woman using electronic glasses



Telescopic glasses for distances

4. Address communicating with people with disabilities

- Determine how your organization will take into account a person's disability when communicating with that person.

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5. Allow use of service animals

- If a person with a disability is accompanied by a guide dog or other service animal, permit them access to all areas of the premises which are open to clients, consumers or other third parties.
- If service animals are excluded by law, then provide alternative ways for clients or consumers with disabilities to access services.

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Service animals at work



Dog inserts debit card



Dog answers phone



Dog presses walk button



Monkey feeds owner



Parrot assists owner



Dog loads dryer

Public health prohibits service animals where food is prepared

- The Health Protection and Promotion Act states that rooms where food is prepared, handled, served or sold must be kept free of live birds and animals.
- However, guide dogs and service dogs are allowed where food is served or sold.

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Service animal discussion

1. What would you do if a client who had a service parrot that was trained to help her cope in stressful situations by repeating calming messages brought that parrot to group therapy?
2. A client who is blind is accompanied by a guide dog to a program. A new client in the program is highly allergic to dogs. How would you handle this situation?
3. A client who comes to a program has a duck that he says is a service duck and it's needed because he suffers from anxiety attacks and the holding the duck calms him. What do you do if other participants object?
4. A prospective client calls the agency and says she uses a miniature horse as a guide-horse and wants to know if the agency would allow her to be accompanied by her guide-horse. What would your response be?

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Guide ponies at work



Guide pony on airplane



Guide pony on escalator



Guide pony in cafe



Guide pony on busy street



Muslim woman & guide pony

©The Guide Horse Foundation/Carlos Osorio / AP

6. Allow support persons

- If a person with a disability is accompanied by a support person your agency must ensure
 - both persons are allowed to enter the premises together
 - the person with a disability is not prevented from having access to the support person while on the premises

There are different types of support persons



Tactile signing for deafblind person



Recreational support person



Positive behaviour support person

Privacy questions may arise concerning support persons

- What might your agency need to consider regarding privacy requirements and support persons?
- What policies, procedures or practices might your agency need to review for privacy implications for support persons?

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May require support person if health or safety involved

- The agency may require a person with a disability to be accompanied by a support person while in the agency, but only if the support person is necessary to protect the health or safety of the person with a disability or the health or safety of others within the agency.

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7. Provide notice about admission fees for support persons

- Where admission fees are charged, provide notice ahead of time on what admission would be charged for a support person.
- If there is no admission charge for a support person, that needs to be indicated also.

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8. Provide notice of temporary disruption of facilities

- If your agency has facilities or services that people with disabilities need to use to access your services, then you must provide public notice when those facilities or services are:
 - temporarily unavailable
 - if they are expected to be unavailable in the near future.
- Provide this notice as soon as possible.

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Include details about interruption in notice

- When a disruption of the facilities or services, occurs the agency must include this information in the notice:
 - Reason for the disruption.
 - How long the disruption is expected to last.
 - If there are alternative facilities or services available for the duration of the disruption that will allow clients or consumers with disabilities to continue to have access to services.

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Post information about disruption in obvious places

- Post the notice of disruption in places where people are likely to see it such as:
 - on the front door of the agency
 - on the agency's website
 - at the site of the disruption such as at an elevator or computer that is out of order

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9. Deliver training programs to those who provide service

- Provide training on customer service to people with disabilities.
- Deliver training to everyone in your agency who:
 - deals with members of the public such as staff, students and volunteers
 - provides services to the public on the agency's behalf: agents, consultants or other contractors

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10. Deliver training to policy, procedures and practices developers

- The agency must provide training to everyone who develops policies, procedures and practices for your agency about the provision of services to clients and consumers.

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Training content includes the Act, standard and instructions

Deliver training that includes:

- Review of the purpose of the Act and the requirements of the customer service standard.
- Instructions about:
 - How to serve people with disabilities who use assistive devices, guide dogs or other service animals or the assistance of a support person.
 - How employees are expected to use equipment or devices that are available within your organization that may help with the delivery of services to a person with a disability.
 - What staff should do if a person with a particular type of disability is having difficulty accessing the organization's services.

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Provide timely & ongoing training

- Provide timely training:
 - Provide training as soon as practicable after a staff member, volunteer, student or others is assigned to provide service to your clients.
- Provide ongoing training:
 - Whenever policies, procedures or practices change regarding providing service to people with disabilities, conduct on-going training.
- Meet applicable deadlines:
 - Complete training requirements for current staff.

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11. Establish feedback processes

- Set up a feedback process that:
 - allows anyone to give feedback on the way in which the agency provides services to persons with disabilities
 - describes how the agency will receive and respond to this feedback
 - makes information about the feedback process readily available to the public

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Provide options for providing feedback

- The feedback process must:
 - describe the ways people can provide feedback
 - ensure the communication method takes into account the person's disability.
- Feedback options must include at least one of:
 - in person
 - by telephone
 - in writing
 - sending an electronic text, email or on diskette or other electronic means

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Specify complaint-handling process

- The feedback process must describe the actions that will be taken if a complaint is received about how services were provided to people with disabilities.

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12. Comply with documentation requirements for 20 or more staff

- Prepare documents describing your policies, practices and/or procedures:
 - governing the provision of good and services to people with disabilities
 - with respect to the use of service animals and support persons
 - that set out the steps to be taken in connection with a temporary disruption
 - for training and include a summary of the contents of the training, details of when the training is to be provided and keep records of the training provided
 - describing the feedback process and how complaints are handled

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13. Comply with availability and format requirements for documents

- Post information in a conspicuous place letting consumers know that the documents are available on request.
- Provide the documents in a format that takes into account the requestor's disability.

How can we be in compliance ahead of schedule?

+ Driving Forces Restraining Forces -

How to strengthen drivers	Identify driving forces	Identify restraining forces	How to reduce restrainers
	↑ ↑ ↑ ↑ ↑ ↑ ↑	↓ ↓ ↓ ↓ ↓ ↓ ↓	

Objectives of today's session: Equip trainers with facts & tools

- Gain an understanding of the Accessibility for Ontarians with Disabilities Act, 2005
- Learn what organizations must do to comply with the customer service standard
- Become familiar with AccessON.ca resources and the tool kit
- Respond to your questions

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Key learning from the session

- What were the most important points you are taking away from today's session?
- What ideas have you learned to help with challenges?

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Complete evaluation

- Please complete the evaluation form before you leave.
- Thank you!