



Clerk's Report

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Report To: General Government Committee

Date of Meeting: January 3, 2017

Report Number: CLD-001-17 **Resolution:** #GG-017-17

File Number: **By-law Number:**

Report Subject: Accessibility Policy Update

Recommendations:

1. That Report CLD-001-17 be received; and
2. That Council approve the updated Accessible Customer Service Policy.

Report Overview

Recent legislative changes to the Accessible Customer Service Standard of the *Accessibility for Ontarians with Disabilities Act, 2005* require the Municipality to update its Accessible Customer Service Policy. This Report provides an overview of the policy updates and legislative changes required under the AODA.

1. Background

On July 1, 2016, the Government of Ontario updated the Accessible Customer Service Standard of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). The most significant changes to the Customer Service Standard include:

- An expanded list of regulated health professionals who can confirm a service animal is legitimate if it is not readily apparent,
- More clearly defined rules on when an organization can require a person with a disability to have a support person with them

As a result of these changes, the Municipality is required to update its Accessible Customer Service Policy.

2. Proposal

2.1 Restructure Accessibility Policies

New regulations to ensure accessibility in Customer Service have been established by the Government of Ontario. The Municipality needs to ensure its own policies reflect the updated standards. It is therefore proposed that the updated Accessible Customer Service Policy described in 2.2 is approved by Council.

In addition, the Municipality is taking this opportunity to administratively improve its approach to policy in this subject by separating out its Accessible Customer Service Policy from the overall umbrella policy on accessibility.

The Accessibility Policy is a new policy that will serve as an umbrella policy under which all other accessibility policies will fall. It establishes our core commitments and principles as prescribed by the AODA.

2.2 Updates to the Accessible Customer Service Policy

As a result of the Province's changes to the Customer Service Standard, the following is a summary of the significant changes made to the Municipality's Accessible Customer Service Policy:

- Service animals and guide dogs should be readily identified through visual indicators, such as a vest or harness.
- The list of who can provide documentation, confirming a person with a disability requires a service animal, has been expanded to include a number of Regulated Health Professionals.
- The Municipality may require an individual to have a support person only after:
 - Consulting with the person with a disability to understand their needs
 - Considering health and/or safety reasons based on available evidence
 - Determining if there is no other reasonable way to protect the health and/or safety of the person or others on the premises.

The Municipality's Accessible Customer Service Policy is attached with the key changes highlighted.

3. Concurrence

This report has been reviewed by the Clarington Accessibility Advisory Committee who concur with the recommendation.

4. Conclusion

It is respectfully recommended that Council approve the updated Accessible Customer Service Policy.

5. Strategic Plan Application

The recommendations contained in this report conform to the Strategic Plan.



Submitted by:

(for) C. Anne Greentree,
Municipal Clerk



Reviewed by:

Curry Clifford, MPA, CMO
Interim CAO

Staff Contact: Jeannette Whynot, Accessibility Coordinator, 905-623-3379 x 2131 or
jwhynt@clarington.net

There are no interested parties to be notified of Council's decision.

Corporate Policy



POLICY TYPE:	Operational
SUBSECTION:	Communication/Customer Service
POLICY TITLE:	Accessible Customer Service
POLICY #:	
POLICY APPROVED BY:	Council
EFFECTIVE DATE:	November 9, 2009
REVISED:	January 3, 2017
APPLICABLE TO:	All Employees

Accessible Customer Service Policy

1. Purpose Statement

This policy addresses the Accessible Customer Service Standards requirements of Ontario Regulation 191/11 for the Integrated Accessibility Standards Regulation under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

2. Scope

This policy applies to municipal goods, services and facilities provided by the Municipality of Clarington and its employees, as well as volunteers, agents, contractors or any individual presenting or performing any function on behalf of the Municipality.

The requirements set out in this policy are being implemented by the Municipality of Clarington in accordance with the Standards and timelines established in the AODA.

3. Definitions

Accessible formats may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

Assistive Device is a piece of equipment a person with a disability uses to help them with daily living (e.g., a wheelchair, screen reader, hearing aid, cane or walker, an oxygen tank).

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Communication supports may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

Guide dog means a guide dog as defined in section 1 of the *Blind Persons' Rights Act*.

Service animal means any animal that assists a person with a disability if the following conditions are met:

(a) the animal can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal; or

(b) the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- (ii) A member of the College of Chiropractors of Ontario.
- (iii) A member of the College of Nurses of Ontario.
- (iv) A member of the College of Occupational Therapists of Ontario.
- (v) A member of the College of Optometrists of Ontario.
- (vi) A member of the College of Physicians and Surgeons of Ontario.
- (vii) A member of the College of Physiotherapists of Ontario.
- (viii) A member of the College of Psychologists of Ontario.
- (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

Support person means, in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods, services or facilities.

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4. Policies

Assistive Devices

Individuals may use their assistive devices when accessing Municipal goods, services and facilities.

In situations where an assistive device presents a significant and unavoidable health or safety concern, other measures will be used to ensure the person with a disability can access Municipal goods, services and/or facilities.

Where assistive devices are available in Municipal facilities, Municipal staff will be trained on how to use them.

Communication

We will communicate with people with disabilities in ways that take into account their disability. We will work with the person with a disability to determine what method of communication works best for them.

Service Animals

Guide dogs and service animals may be used in all Municipal areas/premises that are open to the public, unless the animal is otherwise excluded by law.

If a service animal is excluded from the premises by law, staff will inform the individual of the reasons why and discuss alternative methods for the person to access Municipal goods, services and facilities.

A service animal should be easily identified through visual indicators, such as a harness or a vest, or when it helps a person perform certain tasks.

When Municipal employees cannot easily identify that an animal is a service animal, they may ask the person to provide documentation (template, letter or form) from a regulated health professional that confirms the person needs the service animal for reasons relating to their disability.

A regulated health professional is defined as a member of one of the following colleges:

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

In addition to a regulated health professional, the Municipality will also accept an identification card from the Attorney General or an officer of his or her Ministry, which confirms the identity of a blind person and his or her guide dog. [R.S.O. 1990, c. B.7, s. 4 \(2\)](#).

Support Persons

People with disabilities can access their support person when using goods, services and facilities provided by the Municipality.

Where admission fees are required, support persons will not be charged a fee.

In certain cases the Municipality may require a person with a disability to be accompanied by a support person for the health or safety reasons of:

- The person with a disability
- Others on the premises

Before making a decision on whether or not a person with a disability is required to have a support person, the Municipality will:

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

If the Municipality determines that a support person is required, the Municipality will not charge a fee or fare for the support person.

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Training

Training will be provided to all employees, volunteers, anyone who provides goods, services or facilities on behalf of the Municipality and anyone involved in developing Municipal policies and procedures. Training will be appropriate to the duties of employees, volunteers and other persons and include:

- The purpose of the AODA and the requirements of the Customer Service Standard
- The Municipality's Accessible Customer Service Policy
- The Ontario Human Rights Code (as it relates to people with disabilities)
- Areas of the Accessibility Standards that are relevant to their work responsibilities
- How to interact and communicate with people with various types of disabilities
- How to interact with people who use an assistive device or require the use of a service animal or support person
- How to use any equipment or assistive devices available to help provide goods, services or facilities to people with disabilities
- What to do if a person with a disability is having difficulty accessing the Municipality's goods, services and facilities.

Training will also be provided when changes are made to the Municipality's accessibility policies.

The Municipality shall keep records of the training provided in accordance with Ontario Regulation 191/11.

Service Disruption Notification

In the event of a service disruption at any Municipal facility, service, program or system, notice shall be provided on the Municipality's website and posted at the location, where possible. There is a [designated web page for service disruptions](#) on the Municipality's website. The Municipality also uses social media to notify its followers about service disruptions.

The notice shall provide the reasons for the disruption, its anticipated duration and a description of alternative facilities, services or system that may be available.

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Feedback Process

The Municipality shall maintain a process for receiving and responding to feedback on how the Municipality provides goods, services and facilities to persons with disabilities. The Municipality will ensure the process is accessible by providing or arranging for accessible formats and communication supports upon request.

Feedback may be provided:

- in person
- by telephone
- in writing
- by email or
- by any other communication technology as required

If customers with disabilities would prefer to give their feedback, and receive a response to it, using an alternate method than the one offered, they may request it.

Feedback about the accessibility of the Municipality's goods, services or facilities will be directed to the Accessibility Coordinator. Customers can expect a response within 10 business days.

If the Municipality requires additional time, the estimate date for response will be provided to the submitter. In situations where no contact information is provided, no response will be given, but the feedback will be tracked and actioned accordingly.

Availability and Format of Documents

The Municipality will notify the public that documents related to accessible customer service are available. Notice will be posted on the Municipality's website.

The Municipality will provide these documents in an accessible format or with communication support, upon request. The Municipality will consult with the person making the request to determine the suitability of the format or communication support. The accessible format or communication support will be provided in a timely manner and, at no additional cost.

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Modifications to this or Other Policies

Any policies that do not respect and promote the principles of dignity, independence, integration and equal opportunity for people with disabilities will be modified or rescinded.