



CERTIFIED FOR ACCESS WORKING GROUP RECOMMENDATIONS

Phase 2 Summary Report

March 2016

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Introduction

Accessibility is a rich, broad term that refers, at its most general, to the relationship between a person's needs and goals and the environment or system. While there will always be a wide range of views on how to get there, the objective of this process is to improve that relationship for people of all abilities, aspiring to a more inclusive community.

In the interest of using a variety of tools to advance accessibility in Ontario, The Accessibility Directorate of Ontario (the Directorate) has engaged Deloitte to facilitate an open, multi-stakeholder public consultation to explore the creation of a third party accessibility certification program. Accessibility advocates, persons with disabilities, businesses, certification experts, non-profit organizations, and the broader public sector continue to come together through a variety of channels to provide recommendations to the eventual third party certifier on the objectives, design, feasibility, and implementation of an accessibility certification model.

This process relies on constant engagement with the public, seeking input through social media and an online platform, certifiedforaccess.ca, to inform in person discussions and, in turn, feeding in person topics back to the website for comment. Whatever model emerges from this process will be driven and built by stakeholders and will base its credibility on public approval.

The hope is that the discussion will deepen participants' understanding of common interests, expand their use of shared language, clarify issues and opportunities, and build new tools, systems, and practices to support collaborative action. This form of community building manages the communities' collective interests and highlights opportunities for collaboration going forward.

Phase 2 Working Group Discussions

This document reflects the discussion and work of five working groups, public discussion online, and a series of one-on-one interviews, focusing on five areas: model scope and design, incentives for business, governance and leadership, self-sustainability, and branding and marketing.

Participants agreed that one key task for the leader of an accessibility certification model would be to identify and clearly define four or five key words and what they mean in the context of the program. To start, the words "accessibility" and "certification".

As mentioned above, the term accessibility is used in its broadest sense, the relationship between a person's needs and goals and the environment or system. The intent, design and delivery of an environment or system should be inclusive of the wide diversity of needs in a variety of domains.

Certification refers to a "process, often performed by a third party, of verifying that a product, process or service adheres to a given set of standards and/or criteria."¹ As

¹ Matus, Kira. "Standardization, Certification, and Labeling: A Background Paper for the Roundtable on Sustainability Workshop January 19-21, 2009." *Certifying Sustainable? The Role of Third-Party Certification Systems: Report of a Workshop* (2009): 79-104.

such, the term also encompasses a broad range of models, differing in their scope, design, and leadership. Certification might be:

- Non-institutional (i.e., reliant on crowd-sourcing) or institutional (i.e., run by a central organization)
- Tiered or single-level; ratings-based or pass/fail
- Sector-specific or network-wide; geographically contained or portable to other jurisdictions
- Demographic-specific (i.e., a certain functional or interest area) or inclusive of a range

While working group participants did not reach consensus on all points relating to an accessibility certification model, they did reach alignment on a set of guiding principles and key program outcomes to be used as a framework for the eventual certification program. A range of viable models might fit within these principles and outcomes. Considerations and recommendations within each focus area are also highlighted below. As in any group or discussion process, not all members agreed on every point. Points of discussion, including dissenting opinions and identified risks, are included as critical input for any organization or association looking to lead the certification model. Finally, this document lays out three broad model options that could be consistent with the guiding principles, with special emphasis on the recommended hybrid option. These options, or prototypes similar to them, will be further developed for the public to review in Phase 3.

The Certified for Access Process

This process has been iterative in its structure and implementation, remaining flexible in response to community needs and discussion along the way.

Phases 1 and 2 (November – March 2016)

Through roundtable sessions, online feedback, and one on one discussions, Phase 1 identified barriers, challenges and opportunities surrounding accessibility in Ontario. Some participants expressed serious concerns that certification would undermine legally mandated standards in the province. The majority, however, saw a recognition-based approach as a worthwhile endeavour, a separate but complementary tool in larger ecosystem of efforts to drive accessibility and inclusive design.

This document is the result of Phase 2 discussions, where five working groups delved further into key themes identified during Phase 1. Working group members are people of all abilities, representing a broad range of accessibility advocates, business, and certification experts that expressed interest to the Certified for Access team. These working groups met up to five times each, with the following two objectives:

- 1) To provide recommendations on how the assigned focus area will fit in an accessibility certification model.
- 2) To identify key considerations and risks associated with the assigned focus area.

Online questionnaires allowed the general public to weigh in on the same questions as the working groups, creating a feedback loop between in person and online discussion. The principles and recommendations included below reflect the combined effort,

knowledge, and experience of a rich and diverse group of individuals beyond just the five working groups.

Citizens with Disabilities Ontario Accessible Conferencing System

This process brought together participants from across the country and from the United States. As such, Deloitte worked with Citizens with Disabilities Ontario to hold initial meetings via their Talking Communities accessible conferencing system. This virtual meeting room is accessible for screen reader and keyboard-only users and allows speakers to talk in turn, display documents, and communicate by text chat. This allowed participants to communicate and collaborate as best suited their needs.

Phase 3 (March – April 2016)

The certification model is intended to be independent and voluntary, to be delivered by a non-government third party. One intended outcome of this consultation is to encourage the emergence of leadership from an independent organization, a consortium of organizations and/or a joint venture of individuals to implement the third party certification model.

Based on the working group recommendations, organizations interested in leading the certification model will prepare a brief model prototype and implementation plan. This proposal will outline the organization's take on the working group recommendations and the capacity required to develop and lead a sustainable model. The intent is to provide the public the opportunity to respond to more substantial prototypes for certification and to provide potential certifiers with more information on community needs and preferences.

All proposed models from interested organizations will be posted to certifiedforaccess.ca for two weeks, during which time participants in the process and members of the public may weigh in and comment on the different prototypes. At the end of this period, Deloitte will prepare a report summarizing the feedback received and the community's preferences as to a potential lead certifier or certifiers.

Guiding Principles

Based on the discussion to date, certain general and area-specific principles should be true across a range of potentially viable accessibility certification models.

General Principles

- The model should be simple, understandable, and easy to use for businesses, organizations, and other members of the community
- The model will include a clear definition of key terms to ensure common understanding, including accessibility and certification
- The model will be inclusive of persons of all ages and abilities, as well as adaptable to businesses of diverse types and sizes
- The model will increase awareness among businesses and the general public on inclusive design and user experience best practices

- The model will support businesses that seriously commit to the process of learning, improvement according to best practices, inclusion, and innovation in accessibility and user experience

Model Design Principles

- The model will be designed to perform four main functions: education, assessment, accreditation, and recognition
- The model will be a “hybrid” that combines grassroots, community feedback with an organizational structure that can establish benchmarks, marshal resources, award certification, and monitor the program’s effectiveness
- The model will evaluate businesses’ performance in serving the needs of the community rather than technical skills
- The model will feature public facing recognition, on tiered or graduated levels, to be re-evaluated on a periodic basis
- Any fees for service will be in proportion to the size and capacity of businesses, operating on a tiered system
- The model will start small by piloting in a community or specific sector and evolve to encompass other areas according to user feedback

Community Participation Principles

- The standard for performance worthy of recognition will be based in large part on lived experience, using community feedback and outcomes-based research in cooperation with participating businesses and municipalities
- Community feedback will be gathered and made publicly visible through diverse channels, and will include an prototype for businesses to provide feedback on their own challenges and progress in implementing accessibility
- Community feedback will be cycled back to businesses, organizations, and the certification leadership to inform, evaluate, and update standards of excellence on a continuous basis
- The certification program should feature a hub or platform of resources and initiatives to share knowledge, build community, and identify interdependencies
- The community or sector chosen for the pilot project will be selected based on the diversity of businesses and organizations, with as many types and sizes represented as possible

Legal Principles

- Certification cannot and should not engage in or replace enforcement or compliance activities; that is the job of government and should remain so
- Obligated organizations are expected to be compliant with AODA and Ontario’s Human Rights Code as a condition of achieving certification

- The model and all associated materials will be developed and delivered at the same time in both official languages and alternate accessible formats

Leadership Principles

- The leadership model should be collaborative and feature more than one organization, with ties to a diverse range of communities and organizations representative of persons of all ages and abilities
- Leadership and governance of the model will be separate and distinct, with a collaborative, representative, and transparent accountability structure independent of leadership ensuring continuous evaluation of the model
- The program should engage with coordinating bodies, including chambers of commerce, boards of trade, and professional associations, to organize partnerships and mentorships that augment each organizations' capacity

Recommended Program Outcomes

Participants recommend community engagement in a learning and improvement process as the key purpose of certification, driving at the following outcomes:

- People of all ages and abilities experience meaningful improvement in accessibility over time
- Businesses discover affordable, sustainable ways of embracing accessibility
- Businesses receive recognition for their successes, with demonstrable improvement in interactions with users and the broader community
- Outcomes and metrics will respond to community feedback and will evolve accordingly

Working Group Recommendations

In addition to the principles above, each working group reached general agreement on the following topic-specific recommendations.

Model Scope and Design

- Certification will:
 - Recognize process and performance rather than achievement in skills (e.g., responsiveness to community feedback, innovation)
 - Include a fair disclosure to businesses and users that certified status does not guarantee or replace compliance with AODA or the Code
 - Involve graduated levels, with a defined baseline, that complement AODA and Ontario's Human Rights Code (the Code)
 - The baseline and graduated levels will have associated qualitative and quantitative measures, initially be set according to a range of inputs, including international indices from various sectors, community input, and expertise based on lived experience
 - The measures for baseline and graduated achievement will be re-evaluated, refined, and evolved according to community input received through defined feedback mechanisms
 - Provide support, training, and resources for businesses not yet reaching the standard for certification in order to encourage improvement
 - Include categories determined by trends in community feedback and inclusive of the evolving needs and abilities over a whole lifetime
- Categories will not be segmented by type of disability or accessibility accommodation
- The certification leadership will:
 - Send professionals to validate the feedback, with accreditation from a credible, validated source
 - Recognize business with certification
 - Provide business with a report of positive feedback and areas to improve
 - Identify appropriate resources to help the business improve
- Certified status will be re-evaluated periodically; certification is not automatic and should be re-awarded at every instance of re-evaluation

Incentives for Business

- Incentives will start by appealing to early leaders and will come to capture laggards as momentum grows
- A hybrid model that combines top-down and bottom-up approaches will allow advocate organizations, consumers, and other community members to occupy a new space of empowerment and involvement in business relationships
- Incentives for small and large businesses will differ (e.g., support and recognition versus corporate social responsibility), though both will be concerned with their users' experience
- Public-facing recognition will be the main driver for businesses to pursue certification, as it may lead to a larger user base and visibility for good works and for successes (e.g., a decal, marketing opportunities, identification on an online platform or access mapping site)
- Support in implementing accessibility will be a major incentive for business, as it will minimize cost and time for businesses that want to be accessible but do not know where to start
- Branding and marketing will be critical to ensuring buy-in from organizations
 - The economic argument for accessibility should be clearly articulated in language that is familiar to organizations in each sector

Governance and Leadership

- The leadership and governance bodies should be separate and distinct
- Leadership might take on one or some, but not all, of the education, assessment, and recognition functions
- Leadership will be responsible for establishing the credentials required of those professionals evaluating businesses for certification
- Leadership should include a champion or high-profile organization, as well links to a broad and diverse range of community organizations
- Governance might be a board of directors, an advisory board, or an association that will provide oversight and accountability for the program
- The governance body should include representation from persons of all ages and abilities, as well as business, municipal government, and broader public sector

Self-Sustainability

- The certification program will run on a not-for-profit model
- The model should look at a diverse range of revenue streams, and will diversify further as it matures
- Grants and start-up funding will be required for cost-recovery at the outset of the model, while fees might account for the bulk of funding as more businesses sign on and certification builds momentum
- Government funding should be seriously considered as a revenue stream
- A full-time grant and report writer will be a significant asset to the program in terms of sustaining funding and building relationships with funders and other community sponsors

- Fees might be charged for evaluation, certification, or education, but should be determined in proportion to the size of the business (measured by either square footage, number of employees, or client footprint)
- Fees should operate on a tiered structure and be capped at a reasonable level; eligibility criteria for each tier will be clearly defined, with flexibility at the leadership level on how to apply the criteria
- The model might incorporate options for businesses to identify when they need support or funding to cover fees, though this should be administered by leadership and arranged equitably and transparently

Branding and Marketing

- Marketing should focus on the value add of certification as a complementary approach to AODA and Ontario’s Human Rights Code
- Marketing should establish compliance as the presumed baseline for certification but should also distinguish between this program and mandated standards
 - Messaging would promote inclusive design that applies beyond any one type of ability
 - Marketing and branding might identify businesses that are “open to access” but not yet meeting standards for certification
- Marketing efforts will need to build momentum and awareness of the program so that businesses and the broader community are confident as to what level of accessibility is required to be certified
- The model should seek ways to collaborate or co-brand with existing initiatives and services in the community and should leverage all available and emerging technologies (e.g., established social media platforms, accessible conferencing systems, etc.)
- Messaging and branding should:
 - Be simple, engaging, and relatable
 - Focus on the lived experience of accessibility and the process of learning, growth, and improvement
 - Distinguish between the training and recognition components of the program
 - Involve a simple, universal logo that serves as a meaningful signal that a business and its staff are able and ready to accommodate the community (e.g., a capital letter A for accessible, always open, available, etc.)

Points of Discussion

Certain key points of discussion recurred across all five working groups and through online comments. Some represent points where a participant differed from the majority in their perspective, some note key risks or considerations for implementation for the eventual certifier’s contemplation. The certifying body will have to communicate closely with impacted communities in order to work through these points of deliberation.

The Relationship between Certification and Legislation

- There is a serious risk that if a certified business is not completely compliant with the AODA or Ontario’s Human Rights Code, the public might be confused as to

the “accessibility” of the business; this also puts the business at risk of being found non-compliant

- Legislation exists that mandates accessibility; this is a clear incentive for business
- Certification would look at a different aspect of accessibility than legislation, offering a public-facing assessment of a business’s performance
 - Certification would look at inclusive design and user experience; legislation complements and is a foundation or floor for certification
 - To claim that certification assesses compliance with the law would overstep technical and legislative powers
 - The hope is that if the certification initiative gains momentum, it might incentivize government to be more active on AODA
- If certification is the carrot, however, legislation must be a rigorously enforced stick

Certification as Reinforcement for Compliance

- Principle 4 states that certification would be conditional on proof of compliance with AODA and Ontario’s Human Rights Code
 - How would the certifier know if a business is compliant if the program will not test or evaluate for compliance?
 - What happens if the certifier finds on arrival that the business is non-compliant with AODA?
 - In this case, certification would not be granted, based on the certifier’s ad hoc judgment
- On the other hand, AODA is comprehensive and constantly evolving; not all businesses can meet all standards
 - The program may encourage businesses to comply or offer advice on how to move towards compliance without granting certification

Ensuring Rigour in a Hybrid Model

- While a community-driven model will effectively raise awareness around the idea of accessibility, businesses need consistent and reliable standards to plan for the long-term
- Self-assessment and voluntary self-reporting has not resulted in meaningful change or improvement in the past experience of participants

Creating Open and Inclusive Platforms for Community Feedback

- The model should offer a variety of channels for gathering community feedback in order to remain inclusive; many community members do not or cannot use social media or other technologies
- Businesses should be positioned to provide data on the barriers to achieving compliance or the situations where they lack the capacity to achieve compliance or certification
- The organization developing the model should specify whether the community platform is available for anyone to see or whether it is open to businesses only
- Information and data from the bottom up and top down functions should be open for review and comment so that the community can continue to engage in the design and evaluation of the program as it evolves

Creating a Transportable Model

- The model should be internationally transportable
 - The aspiration is to create a portable program that could eventually work in other jurisdictions or achieve national coverage
 - Certification could add value as a feed or support for barrier-free Canada
- Ontario and its legislative context could be a baseline, but the model should not be uniquely applicable to this province

Reconciling the Recognition of Excellence and Support for Improvement

- There may be a tension in the model between educating and supporting organizations' improvement and recognizing excellence
 - A business working towards compliance could still qualify for education and support without becoming certified right away
- Similar programs in other sectors award points for areas of strength while offering support for areas where the business is struggling
 - This recognizes strengths without conferring the highest level of certification for businesses underperforming in other areas

The Importance of Collaborative Leadership

- Some participants felt it would devalue the certification if it were led by one organization
 - One organization would be biased to their stakeholders and area of focus; the leadership needs input from various agencies and from persons of all abilities
 - Existing organizations have many existing initiatives and competing priorities and may not be able to give adequate attention to the program
 - This is a partnership between business and the community and that partnership should be reflected in the proposal of any organization looking to lead certification
- If it were one lead organization, it would have to be a non-partisan organization working in collaboration with user groups and businesses to achieve desired outcomes

Piloting in a Community versus a Sector

- While most participants agreed that the model should pilot in a community before growing to other jurisdictions, some maintained support for a sector-based pilot
 - A sector-oriented approach would leverage the bulk and might of a sector of early adopters to implement
 - Changes could occur more readily and large organizations could sponsor smaller organizations that fit their corporate social responsibility mandate

Notes on Language and Messaging

- The word certification carries specific, often negative, connotations for businesses of an onerous or rigid process. As such, members proposed the principle refer to recognition rather than certification
- All principles should refer to community or users rather than consumers as not all relationships are commercial or strictly individual to individual

- The language of inclusive design will be useful in distinguishing the certification program from AODA and associated programming

Model Options

The following options emerged as potential models from working group and online discussion. Each of these adhere to the guiding principles listed above, though each model would give certain principles more prominence or weight than others. The majority of feedback received from working group members and online contributors shows a preference for the hybrid model, as it prioritizes lived experience and grassroots, community-oriented leadership while maintaining rigour in its evaluation of accessibility excellence (by trained, credible accreditors) and in setting reliable standards for business to aspire to. The top-down and bottom-up model options are included for reference.

Recommended Model Option

The Hybrid Model

The hybrid model features a combination of the above, functioning on a feedback loop where credible, accredited assessors perform evaluation and award recognition based on community feedback; community and leadership collaborate to provide support and resources for improvement

- Leadership sets standards for excellence at each graduated level based on community feedback, inclusive design best practices, and international indices, complementary to Ontario's Human Rights Code and AODA
- Community feedback continues to influence the content and re-evaluation of standards; feedback also helps businesses improve
- Businesses go to the certification leadership for resources and guidance to build awareness and support improvement
- Businesses that demonstrate improvement or that find particularly innovative solutions are recognized

Other Model Options

The top-down model with community input

- The leadership body recruits accredited evaluators, awards recognition and coordinates education and support resources
- Based on a business's performance, the business is awarded a level of certification for display and marketing (e.g., gold for responsiveness to community feedback, platinum for innovation to meet community needs)
- Standards are re-evaluated on a periodic basis in response to community feedback and business improvement
- Leadership connects businesses looking to improve their score with resources and support appropriate to their identified weak points
- Businesses pay nominal fees for assessment and support services

The bottom-up model with organizational capacity

- The public drives standards, evaluation, and gaps in awareness, while leadership administers certification and delivers resources
- The model consists of a platform for user feedback where criteria and priorities are determined according to popular input
- Over time, criteria are developed to determine a business's accessibility, with associated marketing and branding opportunities; these criteria evolve according to business and community feedback
- The leadership aggregates feedback for businesses and maintains a hub of resources to help businesses improve according to community input
- Businesses pay nominal fees for resources and support services

Conclusion

We have heard throughout this process that it is essential to use all tools at our disposal to make access accessible. Inclusive design should be a foundation of thinking in business, design, and development. Driven by community needs, the program should seek to empower persons of all abilities in their daily lives and adapt as quickly and as flexibly as people do to changing circumstances.

Concerns that users of certification may still experience barriers to accessibility are valid and serious. That said, the program can complement existing legal standards, adding value to the ecosystem of inclusivity-based initiatives. An independent, recognition-based program can combine best practices in standards development with input from lived experience. The model will be horizontal and robust, incorporating knowledge from each community with technical skills in inclusive design, user experience, and accessibility.

While these principles provide a framework, the model prototypes submitted for Phase 3 will be the first step in actualizing the accessibility certification model and supporting a broader culture change around accessibility in Ontario and beyond.

As noted in Phase 1, the process of designing this model is voluntary, in its design, development, and implementation. By nature, it will rely at all phases on the experience, goodwill, and enthusiasm of a varied group of individuals and organizations. While we have tried to design each stage to consult in a variety of low-cost, efficient, and effective ways, we are aware of the barriers to participation for persons of all abilities given the cost and time required. We thank everyone who has contributed, whether in person, over the phone, or online. The richness, complexity, and depth of discussion as well as the avenues opening for collaboration are already a success of kind.