Monitoring Report on the implementation of the NDA's Code of Practice on Accessibility of Public Services and Information provided by Public Bodies, 2008

Údarás Náisiúnta Míchumais
National Disability Authority

Contents

Introduction

Background to the Report

The Disability Act, 2005 and the NDA's Code of Practice on Accessibility of Public Services and Information provided by Public Bodies

The Disability Act 2005 is a positive action measure, which provides a statutory basis for making public services accessible to people with disabilities. As of 31 December 2005:

- under section 26 of part 3 of the Act, public bodies are required to ensure that their services are accessible for people with disabilities by providing integrated access to mainstream services where practicable and appropriate

- under section 27 of part 3 of the Act, public bodies are required to ensure that the goods or services that they purchase are accessible, unless it would not be practicable or justifiable on cost grounds or would result in an unreasonable delay

- under section 28 of part 3 of the Act, communications by a public body to a person with a hearing or vision impairment must, as far as practicable, be provided in an accessible format where so requested. Information provided electronically must, as far as practicable, be compatible with adaptive technology. Published information, relevant to persons with intellectual disabilities, must also be, as far as practicable, made available in easy to read formats.

At the request of the Minister for Justice, Equality and Law Reform, the National Disability Authority (NDA) prepared a 'Code of Practice on Accessibility of Public Services and Information provided by Public Bodies' to

support public bodies in meeting their new obligations under these sections of the Act.

This Code sets out the NDA's understanding of what is required of public bodies under these sections and provides practical advice and examples of how these requirements may be met.

It was approved as a secondary statutory instrument, 6 April, 2006[2] and was formally launched in July, 2006 with the new National Disability Strategy. Pursuant to subsection 30(6) of the Act[3], public bodies that comply with the Code are considered to be in compliance with the legislation.

The NDA's statutory remit to monitor the implementation of its statutory Codes of Practice

Section 8 (1) (2) (d) of Part II of National Disability Authority Act, 1999, requires the NDA "to monitor the implementation of standards and codes of practice in programmes and services provided to persons with disabilities and to report to the Minister thereon".

In line with this statutory requirement, the NDA began the process of monitoring implementation of its statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies, in 2007.

The NDA's approach to monitoring the implementation of its Code of Practice on Accessibility of Public Services and Information provided by Public Bodies

An early review of national and international research and best practice suggested that:

- a supportive and developmental model of monitoring would be best suited to both the present context and the NDA's overall statutory remit

- a self-report postal survey would be likely to prove the most practicable and effective methodology to employ in the present context

- for the purposes of gathering a broad range of good quality baseline data in the first year of monitoring, proposals for the survey would be best based on an open, exploratory approach that would employ both closed- and open-ended type questions that would allow organisations to qualify or expand on their responses as necessary and appropriate

- for clarity and ease of use, it was decided that the questionnaire should follow the structure of the primary legislation and the Code as closely as possible.

The NDA prepared a consultation document on the basis of these findings and embarked on a period of consultation with key stakeholders which ran until 31 January, 2008. Based on submissions received, the NDA adjusted and finalised its proposed monitoring strategy and questionnaire. In general adjustments made were fairly minor but a decision was taken to include some additional questionnaire items on complaints. This decision was significant insofar as the complaints process associated with the Code does not fall within the scope of the Code, itself. It was, however, considered that these items were both relevant and important and that they could act as valuable additional indicators of implementation and compliance.

The NDA posted out the finalised questionnaire[4] to the heads of the 568 public bodies impacted by the Code, 30 April, 2008, requesting that they complete, sign off and return the questionnaire by 1 July[5].

The purpose of this Report

This report presents the findings of the NDA's initial monitoring survey on the implementation of its Code of Practice on Accessibility of Public Services and Information provided by Public Bodies. The report will be presented to

the Minister for Justice, Equality and Law Reform and made available for review by all key stakeholders.

The aim of the report is twofold:

1. to help both the NDA and the Minister to evaluate implementation of the Code across the public sector
2. to provide comparative data and best practice examples against which all public bodies will be able to assess and continue to improve their own performance.

General information on Survey Returns

Final Response Rates for Survey

Approximately 25% of the 568 Questionnaires mailed out to public bodies were completed and returned by the required deadline of 1 July.

A reminder was subsequently issued to public bodies together with a deadline extension, in order to follow up with some organisations, including some government Departments, local authorities and independent agencies.

This resulted in a final return rate of 35.2% or 200 (568) completed questionnaires representing 203 organisations[6].

Return Profile

Completed questionnaires were received from bodies as diverse as county and town councils, enterprise boards, Intertrade Ireland, institutes of technology, Bus Éireann, Íarnród Éireann, port and airport authorities, the Electricity Supply Board, An Post, the Mental Health Commission, hospitals, the Food Safety Authority, the Irish Museum of Modern Art, Coillte, Fáilte Ireland and An Garda Síochana. All parts of the country were represented. For a complete listing of returning bodies, see Appendix Two.

These bodies were found to range in size from: 0[7] to 16629[8] employees* - with 42.5% representation of services delivering at one central site and 57.0% at multiple sites**. See Tables 1 and 2.

Table 1 Size of organisation		
Number of employees	Number of Organisations	%
10 or less	33	17.0
11-50	32	17.0
51-200	27	14.0
201-500	34	18.0
501-1000	26	14.0
1001-5000	33	17.0
5001 and over	5	3.0
Total	*190	100.0

Table 2 Number of Locations (buildings or other significant sites) at which information and services are provided		
Number of sites	Number of Organisations	%
One central location	84	48.6
2 -10	35	20.2
11-50	36	20.8
51-200	15	8.6
201-500	1	0.6
501-1000	1	0.6
1001-5000	1	0.6
Total	**173	100.0

It was noted that the types of services and information provided to the public by these bodies range considerably - from those relating to education and health to local government, social services and law enforcement.

Accordingly, customers range from full- and part- time students to hospital in- and out-patients, home owners seeking planning permissions or grant aid for improvements to their properties, people of working age seeking information on job opportunities or unemployment benefit, road users seeking driving licences and holiday makers applying for travel visas or passing through airport passport control and security checks.

For a breakdown of estimated numbers of customers, where indicated, see Table 3.

Table 3 Estimated overall number of customers		
Number of customers	**Number of Organisations**	**%**
Up to 50	2	2.0
51-200	5	5.0
201-500	8	7.0
501-1000	21	19.0
1001-5000	34	31.0
5001 and over	40	36.0
Total	*110	100.0

Questionnaires were found to have been completed by individuals fulfilling a variety of roles, but most frequently by individuals in roles relating to disability, equality and, or accessibility - normally, with the co-operation of a number of officers, before being signed off by the organisation's chief officer or nominee.

Generally, the Survey received a positive response from public bodies[9] and it was anticipated that data gathered in the course of the Survey would provide valuable information that would be likely to be of considerable assistance to them going forward.

Data completeness and quality

It was noted that not all sections of all questionnaires had been completed by many public bodies. Follow-up inquiries made in relation to incomplete returns yielded little additional data, however, as further information was generally unavailable.[10]

Data entry and Analysis

The dataset was coded, entered into a database and analysed with due regard to data quality and completeness. Data entry and analysis was based on 200 effective rather than 203 actual returns.

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[2] Statutory Instrument No. 163 of 2006

[3] "Compliance by a public body with an approved code of practice shall be deemed to be compliance with the relevant provision of this Act".

[4] See Appendix One.

[5] Under the Act, the head of each public body to which the legislation applies is legally responsible for:
- Deciding how the responsibilities relate to their organisation and the range of services and information it provides; and
- Making sure that the organisation responds in the best possible way, insofar as is practicable and appropriate, to the responsibilities under the Act.
As set out in subsection 2(1) of the Act, "head", in relation to a public body, means

the person who holds, or performs the functions of, the office of the chief executive officer (by whatever name called) of the body.

[6] We received two joint returns: one on behalf of Kilkenny county and borough councils, the other on behalf of Office of the Ombudsman, Information Commissioner and Standards in Public Office Commission.

[7] The National Statistics Board, which meets 6 – 8 times each year but does not have fulltime staff or headquarters. Secretary is an employee of the Central Statistics Office.

[8] An Garda Síochána

[9] "I found doing this questionnaire very helpful"

[10] For example, one agency indicated that it felt it would not be appropriate for them to comment extensively on tendering as this is carried out on their behalf by their parent department

Executive Summary

Background to this report

Section 8 (1) (2) (d) of Part II of National Disability Authority Act, 1999, requires the NDA to monitor the implementation of standards and codes of practice in programmes and services provided to persons with disabilities and to report to the Minister thereon.

In line with this statutory requirement, the NDA began the process of monitoring implementation of the statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies, Statutory Instrument No. 163 of 2006, in 2007, with research on best national and international monitoring practice.

This research indicated that:

- a supportive and developmental model of monitoring would be best suited to both the present context and the NDA's overall statutory remit
- a self-report postal survey would be likely to prove the most practicable and effective methodology to employ in the present context.

Accordingly, a survey instrument was developed and, following a period of open consultation, this was finalised and posted out to the heads of each of the 568 public bodies impacted by the Code.

Completed returns were received from 203 of the 568 bodies, giving a final return rate of 35.0% from a diverse range of bodies from all parts of the country.

Key Findings

Eighteen key findings were identified.

The key positive findings of the survey were:

1. All survey respondents conveyed awareness of the requirements of the NDA's statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies

2. All survey respondents reported having taken at least some initiatives to improve the accessibility of the information and services they provide

3. A significant number of survey respondents reported having now completed a formal access audit review of significant aspects of their services

4. Many of those that reported not having completed a formal access audit review of significant aspects of their services indicated their intention to do so in the near future

5. A significant number of survey respondents reported having developed action plans to address issues raised in their access reviews and audits

6. A significant number of survey respondents reported ensuring the availability of appropriate expertise in relation to accessibility matters

7. Many survey respondents reported having consulted with people with disabilities in relation to accessibility matters and having learned some important lessons in so doing

8. A significant number of survey respondents reported having appointed at least one access officer under the Disability Act and, or assigned particular access responsibilities under the Act

9. A significant number of survey respondents reported that their access officers have received training and indicated their association with important accessibility initiatives across their organisations

10. A significant number of survey respondents reported having a procedure on how to make arrangements to assist a person with a disability to access their services, if requested and all survey respondents indicated at least some assistance initiatives to date

11. A significant number of survey respondents reported having had their website audited for accessibility and had achieved confirmation of compliance with the Web Accessibility Initiative - almost half of these at AA or AAA level

12. A significant number of survey respondents reported having a procedure in place for written complaints under the Disability Act and making this known to customers

13. Less than one tenth of survey respondents reported having received complaints under sections 26, 27 and 28 of the Disability Act

14. Over half of survey respondents have, by now, appointed inquiry officers to handle complaints received under the Disability Act

15. Many survey respondents reported very notable, best practice initiatives in improving the accessibility of the information and services they provide

The key negative findings of the survey were:

16. Less than half of survey respondents reported having policies and procedures in place to ensure the provision of information in accessible formats, when requested

17. Less than half of survey respondents reported having policies and procedures in place to ensure that goods and services supplied to them are accessible to people with disabilities

18. A number of survey respondents report that they are experiencing significant challenges in trying to improve accessibility.

Conclusions and Recommendations

Amongst public bodies that made returns on the 2008 Survey, many important achievements have been observed. Indeed, some very notable examples of best practice were observed in relation to some particular organisations and actions. Notwithstanding, a small number of important areas of under-achievement, requiring particular, urgent attention were also identified.

Ten key recommendations were made as follows:

1. **Formal access audits and reviews and action plans to address issues raised**

The NDA considers that a formal access audit or review is essential to ensuring a comprehensive and accurate assessment of current accessibility and a valid and reliable basis for planned improvements to accessibility.

The NDA, therefore, recommends that, going forward, all public bodies ensure that they:

- complete a formal access audit or review of significant aspects of their services and
- develop action plans based on the findings of their formal audit or review in order to ensure that all of those barriers to accessibility in these audits or reviews are systematically and effectively addressed.

2. **Ensuring appropriate expertise and consultation with people with disabilities in relation to accessibility matters**

The Disability Act, 2005, requires public bodies to ensure that appropriate expertise is available to them. The NDA's Code of Practice makes specific reference to consulting with people with disabilities on accessibility matters. The NDA considers both to be vital for all public bodies in working towards improving accessibility and recommends that, going forward, all public bodies should ensure they do both.

3. **The appointment and training of access officers under the Disability Act, 2005**

The Disability Act, 2005, requires that each public body authorises at least one of its officers to act as an access officer under the Act. The NDA's Code of Practice makes specific reference to ensuring that access officers are adequately trained for their role.

The NDA considers the appointment and appropriate training of access officers as a critical aspect of the accessibility of public services and recommends that, going forward, all public bodies ensure early action on both.

4. Making arrangements to assist a person with a disability

In appreciation of the fact that:

a. the Disability Act, 2005, requires that public bodies provide assistance, if requested

b. the provision of such assistance may sometimes involve complex or specialised measures

the NDA recommends that, going forward, all public bodies ensure that they have a procedure in place to support them in providing assistance in a timely and satisfactory way.

5. Accessible information

The NDA considers it essential to have policies and procedures in place to ensure the provision of information in accessible formats, when requested and, therefore, recommends that all public bodies address this issue as a matter of urgency.

6. Website accessibility

The NDA recommends that all public bodies should have their websites audited for accessibility against the Web Accessibility Initiative's Web Content Accessibility Guidelines [1] and work towards the achievement of AAA level compliance.

7. Accessible Procurement

The NDA recommends that accessible procurement policies and procedures are drawn up by all public bodies, to include:

- a statement of the objective of the policy or procedure

- basic provisions such as asking suppliers to highlight the accessibility features of their products or services in quoting or tendering supply

- where to seek advice in relation to accessible procurement

- record keeping in relation to decisions taken in relation to non-accessible procurement.

8. Promotion of initiatives undertaken

The NDA considers that promoting accessibility initiatives undertaken is vital if they are to achieve their maximum impact.

The NDA, therefore, recommends that public bodies always take care to ensure that their customers are made aware of the accessibility initiatives they undertake.

9. Complaints

Section 39 of the Disability Act, 2005, requires that public bodies:

- develop and publish procedures in relation to the making and investigation of complaints made under the Act and

- authorise inquiry officers under the Act to investigate any complaints that may arise under the Act.

The NDA considers that all complaints received under the Act should be dealt with in a consistent, timely, effective manner. The NDA, therefore, recommends that all public bodies ensure that these basic measures are put in place as quickly as possible.

10. Challenges experienced in trying to improve accessibility

The NDA notes that a number of this year's survey respondents report that they are experiencing significant challenges in trying to improve accessibility.

The NDA reminds public bodies of the various supports we have made available to them in this regard. These include, for example:

- The NDA's annual conference for access officers
- Guidelines on key areas such as:
  - consulting with people with disabilities
  - the procurement of training in disability equality awareness
  - the procurement of accessible information and communications technologies
  - safe egress for people with disabilities
  - access auditing
  - building for everyone
- The Excellence through Accessibility Award scheme.

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[1] See http://w3.org/WAI

The Findings of the Survey

Introductory Note

This section of the report sets out the findings of the survey under headings which correspond to the main provisions of the Code and Monitoring Questionnaire.

It should be noted that eighteen key findings have been isolated for the survey and that these are listed in the executive summary of this report.

Understanding the requirements of the Code

All public bodies responding to this year's monitoring survey conveyed a good understanding of the requirements of sections 26, 27 and 28 of Part 3 of the Disability Act, 2005 and NDA's statutory Code of Practice on Accessibility of Public Services and Information provided by Public Bodies.

Moreover, all reported having taken at least some initiatives to improve the accessibility of the information and services they provide.

Formal access audits or reviews

70.0 % of survey respondents reported having completed a formal review or access audit of significant aspects of either some or all of their services. See Table 4.

Table 4 Formal review or access audit of services completed	
All services	48.5%
Some services only	21.5%
Neither or unspecified	30.0%
Total	100.0%

58.5 % of these indicated that their review or audit covered accessibility of the built environment of all sites and all divisions where services are provided.

51.5% indicated that their review or audit covered accessibility of information provided by all sites and all divisions where services are provided.

52.0 % indicated that their review or audit covered accessibility of customer services provided at all sites and all divisions where services are provided.

50.0 % indicated that their review or audit covered accessibility of information and communication technology for all sites and all divisions where services are provided.

It is worth noting that where survey respondents indicated that they had not yet completed either a formal review or access audit of the services they provide:

- a number of these reported having conducted informal reviews or access audits of some or all of their services and
- 62.7% indicated that they had plans to complete formal reviews or audits in the near future.

It is also worth noting that 84.0% of survey respondents that indicated they had completed a formal review or access audit also reported devising and implementing plans to address issues raised in these reviews or audits.

Ensuring the availability of expertise in relation to accessibility matters

84.5% of survey respondents reported ensuring appropriate internal or external expertise and skills are available to advise on the accessibility of their services.

Table 5 provides a breakdown of the main sources of expertise these survey respondents reported having used.

Table 5 Sources of Expertise	
Source	**Percentage of survey respondents using this source of expertise**
Use of external consultants	71.0%
Training for staff members that is tailored to their specific role in the organisation	68.5%
Seeking advice from parent department	53.0%
Establishment of a forum for bringing experts and key stakeholders together to get their views and advice on important issues for accessibility	43.0%
Use of peer group learning networks	32.0%

Consulting with people with disabilities in relation to accessibility matters

55.5% of survey respondents reported that they regularly consult with people with disabilities and their organisations in relation to accessibility matters. Of those that reported that they do not, just 50.8% indicated that they had plans to do so.

The prevalence of various forms of consultation that survey respondents indicate having used to date is set out in Table 6. Many survey respondents reported having used more than one form of consultation.

Table 6 Prevalence of various forms of consultation with people with disabilities used by survey respondents	
Form of consultation	**%**
Face-to-face interviews	40.5
An advisory committee on which people with disabilities are represented	39.5
Focus groups	32.0
Surveys	26.5
Open public meetings	19.5

The appointment of access officers and, or assignment of particular access responsibilities under the Act

71.5% of survey respondents reported having appointed at least one access officer under the Act.

Most organisations reported having appointed one access officer, the rest ranging between two and six. Several organisations indicated that additional members of staff had been assigned support duties relating to the access officer function.

Little variation in number of access officers appointed was found across organisations varying with respect to number of staff, sites and customers.

Where survey respondents reported having appointed access officers under the Disability Act, 64.3% also reported that these officers had received an approved job description and 66.4% reported that they had received training.

Regarding training, it is worth noting that:

- Disability, equality awareness training was found to be the most prevalent and accessibility auditing, second most prevalent.

- 34.5% of survey respondents reported that at least some of their access officers had received training in accessibility auditing.
- 29.0% of survey respondents reported that at least some of their access officers had received training in strategic planning.

Regarding reported awareness of access officers, 70.0% of survey respondents reported that staff members in their organisation were aware of the role, functions and availability of their access officer(s) and 47.0% of survey respondents that their customers were aware of the role, functions and availability of their access officer(s). It is worth noting that where survey respondents had reported staff and customer awareness of the role, functions and availability of their access officer(s), significantly fewer reported having received complaints under sections 26, 27 and 28 of the Disability Act.

Making arrangements to assist a person with a disability to access services, if requested

72.0% of survey respondents reported having a procedure on how to make arrangements to assist a person with a disability to access their services, if requested. All survey respondents indicated at least some assistance initiatives to date.

Policies and procedures to ensure the provision of information in accessible formats, when requested

Just 44.0% of survey respondents reported having policies and 41.0%, procedures in place to ensure the provision of information in accessible formats, when requested. It is worth noting that fewer complaints were received by respondents that reported having either. Fewer complaints were also associated with respondents that reported having made staff and customers aware of their policies or procedures.

Just 43.5% of survey respondents indicated that they had decided there are some materials that they should always produce in accessible formats. 56.9% of these indicated that they have produced other materials in accessible formats, on request.

The prevalence of some key provisions of these policies and procedures are summarised in Table 7.

Table 7 The prevalence of some key provisions of policies and procedures put in place by survey respondents to ensure the provision of information in accessible formats, when requested

Type of provision	Number	%
Large print	127	63.5%
Information provided by phone	125	62.5%
Plain English	111	55.5%
Easy to read	100	50.0%
Audio tape	94	47.0%
Braille	92	46.0%
Audio induction loops	86	43.0%
Irish Sign Language	80	40.0%
Text messaging service	75	37.5%

'Other' provisions indicated ranged from captioning of videos to 'text to voice'. Notably, one body indicated provisions in relation to accommodating one to one meetings at their clients' preferred location, if required and another indicated that it could 'look favourably at any request'.

70.0% of survey respondents reported having made staff members aware of their policies and procedures.

56.5% reported having made customers aware of them.

55.5% of survey respondents reported having a policy and procedure in place to ensure the provision of information in accessible Irish formats, when requested.

Website accessibility

Almost all (96.0%) of survey respondents indicated that they had their own website. 60.5% reported having had their website audited for accessibility. Table 8 summarises reported levels of conformance with the Web Accessibility Initiative's Web Content Accessibility Guidelines[11].

Table 8 Conformance of survey respondent websites with the Web Accessibility Initiative's Web Content Accessibility Guidelines		
Levels of Conformance	**Number**	**%**
Conformance Level A	15	7.5%
Conformance Level AA	65	32.5%
Conformance Level AAA	34	17.0%
Conformance Level unassessed, unknown or not indicated	87	43.5%
Total	200	100.0%

It should be noted that where conformance levels with these guidelines are unassessed or unknown, survey respondents have frequently indicated that their website is currently under review or being redesigned. One such organisation indicated previous assessed compliance to the 'Bobby' standard.

Other forms of electronic information

29.0% of survey respondents have indicated that they use other forms of electronic information such as queuing or more general notice display boards and electronic timetables. Just 25.9% of these have indicated that the accessibility of these have been audited.

Accessible procurement

Just 39.5% of survey respondents reported having policies and 26.0%, procedures in place to ensure that goods and services supplied to them are accessible to people with disabilities.

Just 36.5% of survey respondents reported having made changes to tender documentation under their control, to include accessibility criteria in the tender or tender scoring process.

Complaints

Procedures for written complaints made under sections 26, 27 and 28 of the Disability Act, 2005:

82.5% of survey respondents reported having a procedure in place for written complaints. 77.5% reported having made staff members aware of this procedure and 72.5% reported having made customers aware of it.

Just 49.5% reported that their procedure is available in accessible formats.

Complaints received under sections 26, 27 and 28 of the Act over the last 12 months:

8.5% of survey respondents reported having received complaints in relation to a failure to comply with sections 26, 27 and 28 of the Act over the 12 month period preceding their return.

Most of these reported having received just 1 or 2 complaints; one reported having received 3; one, other: 5.

Size of organisation was not found to be associated with number of complaints received. Interestingly, the organisation reporting the largest customer base reported no complaints for the period.

Inquiry Officers

55.5% of survey respondents reported that they had appointed an inquiry officer under the Act.

It was observed that survey respondents that had appointed an inquiry officer were more prevalent amongst those that indicated that complaints brought against them had been resolved.

Some Noteworthy Examples of Good Practice Reported

83.5% of survey respondents provided details on their organisations' three most significant improvements to accessibility since 31 December, 2005. The areas most frequently cited by these respondents are listed in Table 9.

Table 9 Most frequently cited improvements to accessibility		
Improvements	**Number of public bodies indicating this initiative**	**Percentage (of 167 responses)**
Improvements to physical infrastructure accessibility	121	72.5%
Improvements to website accessibility	57	34.1%
The provision of induction loops, text to speech software etc., in order to improve access to information and services	45	27.0%
The introduction of training initiatives	31	18.6%
Undertaking an access audit	28	16.8%
Improving interaction with disability working groups, service users,	27	16.2%

Table 9 Most frequently cited improvements to accessibility		
Improvements	**Number of public bodies indicating this initiative**	**Percentage (of 167 responses)**
engagement in public consultation		

It was noted that

- many survey respondents provided details of some very noteable initiatives in improving the accessibility of the information and services they provide
- a number of public bodies[12] reported having achieved accessibility awards for some of their key services and sites.

Significant challenges encountered to date in trying to improve accessibility

72.0% of survey respondents provided details on the challenges they encountered in trying to improve accessibility. The areas most frequently cited by these respondents are listed in Table 10.

Table 10 Some examples of challenges reported by survey respondents	
Example	**Percentage of survey respondents indicating this was a significant challenge ***
Significant costs and, or lack of budget	48.0%
General building, infrastructure related issues	37.8%
Lack of personnel to implement changes, time constraints, access officer not full-time or no access officer appointed at the time	25.9%
Lack of in-house expertise and awareness	18.2%

Table 10 Some examples of challenges reported by survey respondents	
Example	Percentage of survey respondents indicating this was a significant challenge *
and difficulty accessing external experts	
Issues relating to developing accessible information	6.1%
Planning issues, building regulations	6.1%
Website or web designer related issues	6.1%

* (of 148 survey respondents providing information on challenges)

[11] - see http://w3.org/WAI

[12] Clare County Council, Cork City Council, Fás, Inter Trade Ireland, Revenue, Waterford City Council, Wexford County Council

Recommendations

In this first year of monitoring the implementation of the NDA's Code of Practice on accessible information and services, the NDA is pleased to have found considerable evidence of understanding and implementation across all survey respondents.

Nevertheless, the NDA remains concerned that, overall, implementation remains incomplete across the public sector.

The NDA has identified a number of important areas of under-achievement, requiring particular, urgent attention going forward, as follows ...

1. **Formal access audits and reviews and action plans to address issues raised**

A significant number of this year's survey respondents reported having completed a formal access audit or review of significant aspects of their services. 30.0%, however, did not - though some indicated that they had plans to do so in the future.

Similarly, where a significant number of survey respondents reported having developed action plans to address issues raised in their access reviews and audits, 16% did not.

The NDA considers that a formal access audit or review is essential to ensuring a comprehensive and accurate assessment of current accessibility and a valid and reliable basis for planned improvements to accessibility.

The NDA, therefore, recommends that, going forward, all public bodies ensure that they:

- complete a formal access audit or review of significant aspects of their services and

- develop action plans based on the findings of their formal audit or review in order to ensure that all of those barriers to accessibility in these audits or reviews are systematically and effectively addressed.

The NDA notes:

- National University of Ireland, Galway has reported it is operating a system of rolling audits with Galway Centre for Independent Living
- Dublin City Council has reported it has designed webpages that enable the public to view and comment on access audits and proposed corrective actions
- Letterkenny Institute of Technology has reported it now provides a hoist system in its accessible toilets as a best practice measure to improve their accessibility
- the National Aquatic Centre has reported that it has installed dedicated rest areas and changing rooms with hoists, changing beds, wet beds, etc. as a best practice measure to ensure accessibility.

2. Ensuring appropriate expertise and consultation with people with disabilities in relation to accessibility matters

A significant number of this year's survey respondents reported ensuring the availability of appropriate expertise and many survey respondents reported having consulted with people with disabilities in relation to accessibility matters.

The Disability Act, 2005, requires public bodies to ensure appropriate expertise. The NDA's Code of Practice makes specific reference to consulting with people with disabilities on accessibility matters.

The NDA considers both to be vital for all public bodies in working towards improving accessibility and recommends that, going forward, all public bodies should ensure they do both.

The NDA notes:

- Fingal County Council has reported that it has established a 'Walk the Route' Scheme by which a Fingal official will walk a route with customers with disabilities and discuss improvements/upgrades/barrier free route alternatives.
- Cavan and Kildare County Councils and Galway City Council have reported that they have formed consultation groups that are comprised of a variety of key stakeholders and meet with these groups on a frequent basis
- the Department of Foreign Affairs has reported that it has established a Departmental Disability Act Monitoring Committee to oversee developments and ensure a consistent, quality approach to accessibility

3. The appointment and training of access officers under the Disability Act, 2005

71.5% of survey respondents reported having appointed at least one access officer under the Disability Act. 66.4% reported that their access officers have received training.

The Disability Act, 2005, requires that each public body authorises at least one of its officers to act as an access officer under the Act. The NDA's Code of Practice makes specific reference to ensuring that access officers are adequately trained for their role.

The NDA considers the appointment and appropriate training of access officers as a critical aspect of the accessibility of public services and recommends that, going forward, all public bodies ensure early action on both.

For their recognition that the Disability Act, 2005, is not just about access officers, but makes accessibility everyone's business in the public service, the NDA further notes:

- the Department of Arts, Sports and Tourism has reported that it has embedded its commitment to accessible services in its customer charter
- the Office of the Director of Corporate Enforcement has reported that it has embedded accessibility in its customer charter and freedom of information manual.
- the Department of Defence Disability Equality Awareness Training has reported that it has incorporated accessibility into its Induction Programme and conducts periodic reviews against its customer service charter.

4. Making arrangements to assist a person with a disability

Whilst all survey respondents indicated at least some assistance initiatives to date, not all (72.0%) reported having a procedure on how to make arrangements to assist a person with a disability to access their services, if requested.

In appreciation of the fact that:

- the Disability Act, 2005, requires that public bodies provide assistance, if requested
- the provision of such assistance may sometimes involve complex or specialised measures

the NDA recommends that, going forward, all public bodies ensure that they have a procedure in place to support them in providing assistance in a timely and satisfactory way.

The NDA notes:

- University College, Dublin has reported that it has established a laptop loan programme to make laptops with accessible support technologies available to students

- Kerry Education Services has reported that it has introduced Personal Egress Plans for people with disabilities
- Monaghan Local Authorities has reported that it has developed and disseminated an accessibility pack for all staff to supplement training.

5. Accessible information

The NDA was concerned to find that less than half of survey respondents reported having policies and procedures in place to ensure the provision of information in accessible formats, when requested.

The NDA recommends that this matter is addressed as a matter of urgency.

The NDA notes:

- University College, Dublin has reported that it has coupled a full-time access librarian with an alternative format post to ensure greater accessibility of material for students.
- University of Limerick, Mary Immaculate College, Limerick Institute of Technology and Tralee Institute of Technology have reported a joint initiative with input from National Centre for Guidance in Education, establishing a regional Assistive Technology Centre and alternative document centre in University of Limerick to ensure the provision of ongoing support to students.
- Léargas has reported that it has improved its direct promotion of programmes to organisations working with people with disabilities
- the National Cancer Screening Service has reported that it has improved its direct promotion of programmes to people with disabilities
- Cavan County Enterprise Board has reported that it has a policy/procedure on producing information in accessible formats that includes accommodating one to one meetings at clients' preferred location, if required

- the Department of Justice, Equality and Law Reform and the Public Appointments Service have each reported acquiring their own brailling equipment.

6. Website accessibility

60.5% of survey respondents reported having had their website audited for accessibility and had achieved confirmation of compliance with the Web Accessibility Initiative - almost half of these at AA or AAA level.

The NDA recommends that all public bodies should ensure that their websites are audited for accessibility and encourages those that have achieved A or AA levels of compliance to continue to work towards the achievement of AAA level compliance in the future.

NDA notes that a number of bodies have reported achieving AAA level compliance.

7. Accessible Procurement

Less than half of survey respondents reported -

- having policies and procedures in place to ensure that goods and services supplied to them are accessible to people with disabilities
- making changes to tender documentation under their control, to include accessibility criteria in the tendering or tender scoring process

The NDA recommends that accessible procurement policies and procedures are drawn up by all public bodies, to include:

- a statement of the objective of the policy or procedure
- basic provisions such as asking suppliers to highlight the accessibility features of their products or services in quoting or tendering supply
- where to seek advice in relation to accessible procurement

- record keeping in relation to decisions taken in relation to non-accessible procurement.

8. Promotion of initiatives undertaken

The NDA acknowledges the many and varied initiatives undertaken by public bodies to date in an effort to improve the accessibility of the information and services they provide.

The NDA considers that public bodies may, sometimes, overlook the matter of promoting these initiatives amongst their customers, however - thus reducing their potential impact.

The NDA, therefore, recommends that public bodies always take care to ensure that their customers are made aware of the accessibility initiatives they undertake.

9. Complaints

Section 39 of the Disability Act, 2005, requires that public bodies:

- develop and publish procedures in relation to the making and investigation of complaints made under the Act and
- authorise inquiry officers under the Act to investigate any complaints that may arise under the Act.

Whilst a significant number of this year's survey respondents reported having a procedure in place for written complaints under the Disability Act and making this known to customers, just 49.5% of these reported that their procedure is available in accessible formats.

In addition, whilst many (55.5%) survey respondents reported having inquiry officers, many more (44.5%) did not.

The NDA considers that all complaints received under the Act should be dealt with in a consistent, timely, effective manner.

The NDA, therefore, recommends that all public bodies ensure that these basic measures are put in place as quickly as possible.

The NDA notes An Bord Bia has highlighted its accessible complaints procedure in its customer charter.

10. Challenges experienced in trying to improve accessibility.

The NDA notes that a number of this year's survey respondents report that they are experiencing significant challenges in trying to improve accessibility.

The NDA acknowledges public bodies' efforts to date in meeting these challenges[13] and encourages all public bodies to continue to progress the accessibility agenda within their organisations.

The NDA would also like to take this opportunity to remind public bodies of the various supports we have made available to them in this regard. These include, for example:

- The NDA's annual conference for access officers
- Guidelines on key areas such as:
  - consulting with people with disabilities
  - the procurement of training in disability equality awareness
  - the procurement of accessible information and communications technologies
  - safe egress for people with disabilities
  - access auditing
  - building for everyone
- The Excellence through Accessibility Award scheme.

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[13] For example: the Women's Health Council has reported successfully ensuring a wheelchair accessible lift for the office block in which they are tenants.

Conclusions

The findings of the NDA's 2008 Monitoring Survey provide ample evidence of awareness of statutory requirements and commitment to providing accessible information and services amongst the 35.0% of public bodies that made returns.

It must, however, be borne in mind that non-responses may well be indicative of some lack of completeness or confidence in implementation and compliance achieved at the time of the Survey.

It should also be noted that some organisations that have just recently been established and are newly impacted by the Code, have been included in the Survey[14]. Clearly, such organisations will require some time to properly identify and fully address all of the accessibility issues which will pertain to the services and information they have been established to provide.

Amongst public bodies that made returns on the 2008 Survey, many important achievements have been observed.

Notwithstanding, a small number of important areas of under-achievement, requiring particular, urgent attention were also identified.

Some notable examples of best practice were observed in relation to some particular organisations and actions.

The NDA would like to encourage all public bodies to continue to progress the accessibility agenda within their organisations, reminding public bodies of the various supports we have made available to them in this regard - as set out in the preceding section.

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[14] For example: the Office of the Director of Corporate Enforcement.

Appendix One: Monitoring Questionnaire

On the implementation of NDA's Code of Practice on Accessibility of Public Services and Information provided by Public Bodies
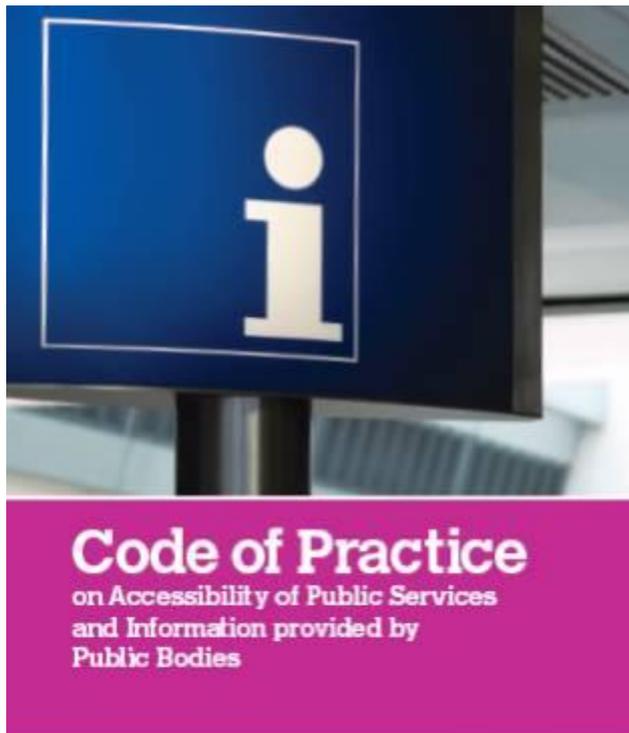
This document is available in a range of formats.

It may be obtained by contacting the National Disability Authority.

- Address: **National Disability Authority, 25 Clyde Road, Dublin 4, Ireland.**
- Telephone: **(01) 608 0400**
- Fax: **(01) 660 9935**
- E-mail: standards@nda.ie

The Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies can be downloaded from the National Disability Authority website.

Appendix Two: Full list of Survey Respondents

Áras an Uachtaráin - Office of the President of Ireland

1. Áras an Uachtaráin - Office of the President of Ireland

Department of Agriculture & Food

1. An Bord Bia
2. COFORD (National Council for Forest Research and Development)
3. Coillte Teoranta
4. Irish National Stud
5. National Milk Agency
6. Teagasc

Department of An Taoiseach

1. Department of An Taoiseach
2. Central Statistics Office
3. National Statistics Board

Department of Arts, Sport & Tourism

1. Department of Arts, Sport & Tourism
2. Arts Council
3. National Aquatic Centre
4. Chester Beatty Library
5. Fáilte Ireland
6. Irish Museum of Modern Art
7. National Gallery of Ireland

Department of Communications, Marine & Natural Resources

1. An Post

2. Bord Iascaigh Mhara

3. Commission for Communications Regulation

4. Dun Laoghaire Harbour

5. Eirgrid plc

6. Electricity Supply Board

7. Killybegs Harbour Centre

8. Marine Institute

9. North-Western Regional Fisheries Board

10. Port of Cork Company

11. Port of Waterford Company

12. Radio Telefis Éireann

13. Shannon Regional Fisheries Board

14. Wicklow Port Company

Department of Community, Rural & Gaeltacht Affairs

1. Department of Community, Rural & Gaeltacht Affairs

2. National Advisory Committee on Drugs NACD

3. Oifig an Coimisinéir Teanga

4. Waterways Ireland

5. Údarás na Gaeltachta

Department of Defence

1. Department of Defence

Department of Education and Science

1. City of Cork Vocational Education Committee (VEC)

2. County Cork VEC

3. County Galway VEC

4. County Laois VEC

5. County Limerick VEC

6. County Louth VEC

7. County Mayo VEC

8. County Offaly VEC

9. County Roscommon VEC

10. North Tipperary VEC

11. South Tipperary VEC

12. County Waterford VEC

13. Dublin City University

14. Dublin City VEC

15. Education Finance Board

16. Further Education and Training Awards Council FETAC

17. Galway City VEC

18. Institute of Technology, Dublin (DIT)

19. Institute of Technology, Dundalk (DKIT)

20. Institute of Technology, Letterkenny

21. Institute of Technology, Limerick

22. Institute of Technology, Tralee

23. Institute of Technology, Waterford

24. Kerry Education Service - County Kerry VEC

25. Léargas -The Exchange Bureau

26. Mary Immaculate College

27. Milltown Institute of Technology and Philosophy

28. National Centre for Guidance in Education

29. National College of Art and Design

30. National College of Ireland

31. National Council for Special Education

32. Royal College of Surgeons

33. St. Patrick's College

34. Teaching Council

35. Trinity College Dublin

36. University College Cork (UCC)

37. University College Dublin (UCD)

38. National University of Ireland, Galway

39. National University of Ireland

40. University of Limerick

Department of Enterprise, Trade & Employment

1. Carlow County Enterprise Board

2. Cavan County Enterprise Board

3. Competition Authority

4. Donegal Enterprise Board

5. Dun Laoghaire - Rathdown County Enterprise Board

6. Enterprise Ireland

7. Fás

8. Health and Safety Authority

9. Inter Trade Ireland

10. Irish Auditing and Accounting Supervisory Authority

11. Laois County Enterprise Board

12. Meath County Enterprise Board Ltd.

13. National Consumer Agency

14. National Employment Rights Authority

15. Office of the Director of Corporate Enforcement

16. Personal Injuries Assessment Board - now Injuries Board.ie

17. Shannon Development Company Ltd

18. Tipperary South Riding County Enterprise Board

19. West Cork Enterprise Board

20. Wicklow County Enterprise Board

Department of Environment, Heritage and Local Government

1. Department of Environment, Heritage & Local Government

2. Affordable Homes Partnership

3. Arklow Town Council

4. Ballybay Town Council

5. Carlow Local Authorities
6. Carrickmacross Town Council
7. Castleblayney Town Council
8. Cavan County Council
9. Clare County Council
10. Clones Town Council
11. Comhar Sustainable Development Council
12. Cork City Council
13. Cork County Council
14. Donegal County Council
15. Dublin City Council
16. Dublin Regional Authority
17. Dun Laoghaire - Rathdown County Council
18. Ennis Town Council
19. Environmental Protection Agency
20. Fingal County Council
21. Galway City Council
22. Galway County Council
23. Irish Water Safety Association
24. Kerry Local Authorities
25. Kildare Local Authorities
26. Kilkenny Local Authorities
27. Leitrim County Council
28. Limerick County Council
29. Local Government Computer Services Board
30. Louth Local Authorities
31. Macroom Town Council
32. Meath County Council
33. Midland Regional Authority
34. Mid-West Regional Authority
35. Monaghan Local Authorities

36. Monaghan Town Council

37. Offaly County Council

38. Roscommon County Council

39. Sligo Local Authorities

40. South East Regional Authority

41. Southern & Eastern Regional Assembly

42. North Tipperary Local Authorities

43. South Tipperary County Council

44. Waterford City Council

45. Waterford County Council

46. Westmeath County Council

47. Wexford Local Authorities

48. Wicklow County Council

Department of Finance

1. Department of Finance

2. Office of the Commission for Public Service Appointments

3. Office of the Ombudsman

4. Office of the Information Commissioner

5. Public Appointments Service

6. Office of the Revenue Commissioners

7. Standards in Public Office Commission

8. State Laboratory

Department of Foreign Affairs

1. Department of Foreign Affairs

Department of Health & Children

1. Adelaide and Meath Hospitals, including National Children's Hospital

2. Children's Acts Advisory Board

3. Crisis Pregnancy Agency

4. Dental Council

5. Dublin Dental School and Hospital

6. Food Safety Authority of Ireland

7. Food Safety Promotion Board - Safefood

8. Health Information and Quality Authority

9. Health Insurance Authority

10. Irish Blood Transfusion Service

11. Irish Medicines Board

12. Mental Health Commission

13. National Cancer Registry Board

14. National Cancer Screening Service

15. National Council on Ageing and Older People

16. National Social Work Qualifications Board

17. Pre-Hospital Emergency Care Council

18. Women's Health Council

Department of Justice, Equality & Law Reform

1. Department of Justice, Equality and Law Reform

2. An Garda Siochána na hÉireann

3. The Garda Siochána Ombudsman Commission

4. Courts Service

5. Office of the Data Protection Commissioner

6. Office of the Director of Public Prosecutions

7. Equality Authority

8. Forensic Science Laboratory

9. Irish Film Censors Office

10. Legal Aid Board

11. National Crime Council

12. National Disability Authority

13. Office of the Refugee Applications Commissioner

14. The Private Security Authority

15. Probation Service

Department of Social and Family Affairs

1. Department of Social and Family Affairs
2. Citizens' Information Board
3. Combat Poverty Agency

Department of Transport

1. Department of Transport
2. Bantry Bay Harbour Commissioners
3. Bus Éireann
4. Commission for Taxi Regulation
5. Dublin Airport Authority plc at Dublin Airport
6. Dublin Airport Authority plc at Shannon Airport
7. Íarnród Éireann
8. Railway Procurement Agency
9. Railway Safety Commission
10. The Road Safety Authority
11. Rosslare Europort

Health Service Executive

1. Health Protection Surveillance Centre

Office of the Attorney General

No return received

Office of the Comptroller and Auditor General

No return received

Office of the House of the Oireachtas

1. Houses of the Oireachtas Commission