Access Officer Guidance for Public Bodies

2022

# Why are Access Officers important?

Access Officers promote equality and social inclusion by making sure that persons with disabilities can access public services. This is an important part of creating a society where everyone is treated with dignity, has access to human rights and does not suffer from discrimination.

The role of Access Officers is vital to protecting rights, and for this reason is set out in a law that requires all public bodies as defined by Part 3 of the Disability Act to have an Access Officer. The Disability Act (2005) says that:

26 (2) Each head of a public body referred to in subsection (1) shall authorise at least one of his or her officers (referred to in this Act as “access officers”) to provide or arrange for and co-ordinate the provision of assistance and guidance to persons with disabilities in accessing its services.[[1]](#footnote-1)

# Access Officer Roles and Responsibilities

The core role of an Access Officer is to provide or coordinate assistance and guidance for persons with disabilities so they can access the services and information provided by a public body. This role is required by law.

The definition of the ‘persons with disabilities’ that Access Officers are to help is also listed in the Disability Act. This means people who have a substantial restriction in their ability to work or participate in social life as a result of an enduring physical, sensory, mental health or intellectual impairment.

Guided by the aim of providing access to services, there are a number of things to be considered to make sure that the Access Officer in your organisation is as effective as possible. The following list provides some guidance for public bodies with regard to the role and allocation of Access Officers.

**Allocation**: Has at least one person been nominated as the designated Access Officer?

* At least one person must be designated as an Access Officer per public body. Members of the public need to be able to contact a set person who can help them if needed. Information must therefore also be provided detailing how this person should be contacted through both written and spoken means.
* Different members of staff may assist with access to services as required, it might therefore be useful for an organisation to appoint an access team to coordinate across functions to improve accessibility of the building, services and information (for example some public bodies appoint different access officers to help persons with disabilities to access their services, building, and information)
* Further information on the considerations of public bodies regarding the appointment of an Access Officer or an Access team can be found on the [NDA Website](https://nda.ie/resources/accessibility-toolkit/appoint-an-access-officer-and-access-team/appoint-an-access-officer-and-access-team.html). The NDA website will assist public bodies with requirements under the Act with respect to Access Officers and the considerations which they need to be aware of when determining the appointment of an Access Officer or Access Team,

**Identification**: Is it easy for the public to find out about your Access Officer?

* The public should be able to easily identify that your public body has an Access Officer in order to use their help. If a person needs assistance to access the service, they may also struggle to easily navigate large volumes of information online. Make sure the information regarding the Access Officer is easily available through providing links on a website homepage, or hanging posters in public-facing offices. Storing information about Access Officers in areas of websites that are not easily accessed may decrease the number of people that are helped by Access Officers.
* Under the new [Web Accessibility Directive](https://universaldesign.ie/technology-ict/web-and-mobile-app-accessibility/accessibility-statement1/#mustcontain), public body websites must contain an Accessibility Statement which contains a description of, and a link to, a feedback mechanism enabling any person to notify the public sector body concerned of any failure of its website or mobile application to comply with the accessibility requirements set out in S.I. No. 358/2020 - [European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020](https://www.irishstatutebook.ie/eli/2020/si/358/made/en/print). This role can be fulfilled by the public body’s Access Officer. However, as noted above this should not be the only location on the website where this information is available, as it may not be easily found by members of the public accessing the website.

**Interaction**: Is it easy for the public to contact the Access Officer?

* Contact details provided for the Access Officer should offer simple ways to get in contact and ask for help. It’s important to consider the communication needs of persons with different types of disabilities when thinking about this question. Having a range of contact methods such as landline phone, email, text message and physical address may help make it easier for persons with a range of disabilities to contact the Access Officer.
* If there is more than one Access Officer for the public body, it is important to make clear who is the main contact for access needs if a member of the public lacks digital skills or literacy to navigate multi-layered links to different contact areas, or can’t figure out which area their question falls into. This Access Officer can then direct queries to the correct alternative Access Officer to respond if needed.

**Availability**: Does the Access Officer have enough time to do the Access Officer role when needed?

* Access Officers should be able to help people with access needs within a reasonable amount of time. Consider whether the person undertaking the role has enough flexibility in their daily work to manage ad hoc requests for assistance. If the public body is large, consider whether more than one Access Officer is needed to manage the expected number of requests for assistance.

**Skills**: Does the Access Officer have the training, understanding and skills to do the role?

* Access Officers should be confident in their ability to assist persons with a range of disabilities or to quickly find solutions based on an understanding of people’s needs. It is advisable that the Access Officer undertakes disability equality training to help with understanding needs and communicating appropriately in relation to various disabilities. Procedures may also be useful to provide quick access to knowledge about how to provide and source different types of assistance.
* Access Officers should be clear about what types of access can be provided, and what is required by law. Knowledge about common access needs will mean that those requesting help receive it promptly. Knowledge of other legal requirements will also promote smooth service delivery, such as understanding the requirements of public bodies under the Irish Sign Language Act.
* Access Officers should be confident in referring clients to the correct officer if the client wishes to make a complaint about the Access Officer or the failure to provide assistance to access the service. The right to make a complaint about this is set out in the Disability Act and is undertaken by a person called the Inquiry Officer.[[2]](#footnote-2)

**Resources**: Are there enough resources or funding available to the Access Officer to provide the assistance that might be needed?

* Some kinds of assistance to access services may require funds (such as hiring interpreters), while other types of needs may mean that service processes take longer or require support. Access Officers can provide the most effective service when funding and resources are available as needed.

**Strategy**: Is there a system so that the Access Officer can raise issues and provide updates at higher levels of the organisation?

* After performing the role for some time, Access Officers will hold important information about how many access queries there are, of what type, and how these were resolved. It may be useful to provide a regular method for the Access Officer to report on access needs to senior management in order to support business efficiency and planning. It may also be useful for Access Officers from different organisations to meet and discuss shared learnings, common issues, best practices etc.
* Access Officers may come across some access issues that indicate general accessibility barriers in the organisation that may require adjustment. In some cases, small adjustments to business-as-usual may reduce the demand for the Access Officers assistance. It may be useful to provide a regular method for the Access Officer to raise systemic access issues with senior management to promote efficient use of the Access Officers time.

# NDA Monitoring of Access Officers

The requirements of the Access Officer role are listed in the “Code of Practice on Accessibility of Public Services and Information provided by Public Bodies,”[[3]](#footnote-3) which explains what is needed to be considered compliant with the law on Access Officers (the Disability Act 2005).

The NDA monitors the implementation of Codes of Practice as part of its statutory duties under the National Disability Authority (NDA) Act 1999.

When NDA considers whether public bodies are compliant with the Code of Practice for Access Officers, this focuses on whether public bodies have carried out the list of functions covered in the Code of Practice. The Code of Practice lists:

* Considering the skills necessary for the role of access officer;
* Considering how many officers are required in relation to the services provided by the body (the Act requires at least one officer);
* Authorising at least one officer to fulfil the role of access officer as defined in the Act;
* Ensuring that this Officer is adequately trained and appraised of duties and responsibilities (it is important that training adequately equips the Access Officer to both: (a) understanding the barriers or potential barriers to access and inclusive services and information in the setting for which he or she is appointed and (b) devise and drive or support the implementation of strategies to address these matters where practicable and appropriate);
* Ensuring that this Officer can be made readily available to persons with disabilities wishing to access services provided by the public body and to staff requiring their advice and support;
* Ensuring that this Officer has regular contact with senior management and that he or she is adequately resourced and supported in his or her role;
* Promoting the appointment and availability of Access Officer(s) and how they may be contacted, so that the general public is made aware of them and knows how to avail of their assistance.

1. Disability Act 2005. Part 3, Section 26(2) <https://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/print.html> [↑](#footnote-ref-1)
2. Section 38 and 39 of the Disability Act 2005 <https://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/print.html> [↑](#footnote-ref-2)
3. NDA, Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies <https://www.nda.ie/Good-practice/Codes-of-Practice/Code-of-Practice-on-Accessibility-of-Public-Services-and-Information-Provided-by-Public-Bodies-/> [↑](#footnote-ref-3)