NDA Disability Act – Part 3 Code of Practice on Accessibility of Public Services and Information provided by Public Bodies

Monitoring Report 2022

June 2023

NDA Logo

# Table of Contents

[NDA Disability Act – Part 3 Code of Practice on Accessibility of Public Services and Information provided by Public Bodies 1](#_Toc142561636)

[Monitoring Report 2022 1](#_Toc142561637)

[June 2023 1](#_Toc142561638)

[Table of Contents 2](#_Toc142561639)

[NDA Disability Act – Part 3 Monitoring Report 2022 3](#_Toc142561640)

[Introduction 3](#_Toc142561641)

[Who we are 3](#_Toc142561642)

[The Disability Act 2005 3](#_Toc142561643)

[Code of Practice on Accessibility of Public Services and Information provided by Public Bodies 4](#_Toc142561644)

[The NDA’s monitoring responsibilities 4](#_Toc142561645)

[Framework for monitoring 4](#_Toc142561646)

[The purpose of this monitoring report 7](#_Toc142561647)

[Section 26 (2) Access Officer 7](#_Toc142561648)

[Methods 7](#_Toc142561649)

[Section 26(2) Access Officer 8](#_Toc142561650)

[Initial Monitoring Findings 10](#_Toc142561651)

[Final Monitoring Findings 11](#_Toc142561652)

[Table 1 – Compliance of Departments and their aegis bodies with the Access Officer indicator 15](#_Toc142561653)

[Impact of Monitoring 17](#_Toc142561654)

[Limitations of the monitoring process 19](#_Toc142561655)

[Conclusion and Recommendations 21](#_Toc142561656)

[Conclusion 21](#_Toc142561657)

[Recommendations 22](#_Toc142561658)

NDA Disability Act – Part 3 Monitoring Report 2022

# Introduction

## Who we are

The National Disability Authority (NDA) is the independent statutory body that provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. We work through our Centre for Excellence in Universal Design (CEUD) to promote the universal design of the built and digital environments, as well as services and systems so that they can be easily accessed, understood, and used by everyone, including persons with disabilities.

## The Disability Act 2005

The Disability Act 2005 (“the Act”) places a statutory obligation on a public body to make their public services accessible to persons with disabilities. Public bodies have a legal duty to ensure their information, goods and services are accessible to persons with disabilities as far as practicable.

Responsibilities set out under Part 3 in the Act include:

* Section 26, public bodies are required to ensure that their services are accessible for persons with disabilities by providing integrated access to mainstream services where practicable and appropriate;
* Section 27, public bodies are required to ensure that the goods or services that they purchase intended to be used by the public or staff are accessible, unless it would not be practicable or justifiable on cost grounds or would result in an unreasonable delay;
* Section 28, communications by a public body to a person with a hearing or vision impairment, as far as practicable, must be provided in an accessible format where so requested. Information provided electronically must, as far as practicable, be made accessible to a person with a visual impairment availing of adaptive technology. Published information, relevant to persons with intellectual disabilities, as far as practicable, must be made available in easy to read formats; and
* Section 38 and 39, public bodies must have clear procedures for making and investigating complaints alleging failure of compliance under sections 25, 26, 27, 28 and 29 of the Disability Act 2005.

## Code of Practice on Accessibility of Public Services and Information provided by Public Bodies

The Disability Act places statutory responsibility on the National Disability Authority (NDA) to prepare Codes of Practice to support public bodies in meeting their obligations under certain sections of the Act. The Code of Practice on Accessibility of Public Services and Information (“the Code”) was prepared at the request of the Minister for Justice and Equality under section 30 of the Act to guide public bodies to meet requirements under Section 26, 27 and 28 of the Disability Act. By complying with the Code of Practice public bodies are considered to be in compliance with those sections of the Act.

This Code of Practice, first published in 2006, has recently been revised and has been submitted to the Minister for approval. The revised Code provides updated and additional guidance under the Disability Act. This Revised Code will be published shortly.

## The NDA’s monitoring responsibilities

Under Part II, section 8(2) (d) of the National Disability Authority Act, 1999, (NDA Act, 1999), the NDA has a role to monitor the implementation of Codes of Practice approved by the Minister and to report the findings. NDA monitoring activity follows the framework of the Code of Practice on Accessibility of Public Services and Information provided by Public Bodies and the requirements set out to this regard. See Figure 1:

Figure 1 – Framework for monitoring

| Framework for monitoring | | |
| --- | --- | --- |
| **The Code of Practice on Accessibility of Public Services and information provided by Public Bodies** | | |
| **Section 26**  Access to services | **Section 27** Accessibility of service provided to a public body | **Section 28**  Access to information |
| **Section 26 (1) (a)** Integrated Access to Service | **Section 27** Accessibility of service provided to a public body | **Section 28 (1) (a)** Spoken information |
| **Section 26 (1) (b)** Providing Assistance |  | **Section 28 (1) (b)** Written information |
| **Section 26 (1) (c)**  Expert Advice |  | **Section 28 (1) (c)** Electronic (digital) information |
| **Section 26 (2)**  Access Officers |  | **Section 28 (2)**  Easy to read information |

The NDA also carries out other monitoring functions. It is important to highlight these monitoring functions upon releasing the most recent report dealing with this Code, as it is vital for Departments and public bodies to understand the importance of interconnected thinking and approaches to accessibility across their organisations and across the wider public sector.

Since 2007 the NDA has produced an annual report reporting on Part 5 of the Disability Act 2005. Part 5 details the obligations public bodies have to promote and support the employment of persons with disabilities. This obligation is assessed using a minimum target of 3% employment of persons with disabilities in the public sector. This target will be increasing from 3% to 6%, with compliance required by 2025. It is the job of the NDA to monitor compliance with Part 5 in the public sector. The annual reports on part 5 compliance can be accessed [here](https://nda.ie/publications/nda-annual-reports-on-compliance-with-part-5-of-the-disability-act).

Another monitoring function of the NDA is the monitoring of public bodies’ compliance with S.I. No. 358/2020 - European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020, commonly referred to as the EU Web Accessibility Directive (WAD). The WAD requires Member States to ensure that websites and mobile applications (apps) of public sector bodies are fully accessible to persons with disabilities. The NDA is the monitoring body for the WAD and in December 2021 we published the first WAD monitoring report. The WAD reports, like part 5 reports, will be produced annually. The second WAD report has now been published and this report and all previous and subsequent WAD monitoring reports can be found [on the NDA’s Website](https://nda.ie/publications/monitoring-report-eu-wad-ireland-2021-nda-report).

The first monitoring activity under this Code examined Departments and public bodies against section 26(2) of the Act (detailed in the report below) which has to do with the appointment of an Access Officer and promotion of details of same. The easiest way to assess whether information was available to the public was by reviewing the websites of public bodies for information on the Access Officer and contact details, this highlights the importance of digital communication and information for Departments and public bodies in communicating with the public.

The NDA undertook this monitoring of websites for information on Access Officers, as this is likely to be one of the most common and convenient way members of the public access information about services provided by public bodies. While internet usage isn’t completely ubiquitous, 2022 Census data shows that 94% of Irish households had an internet connection[[1]](#footnote-1). Further to this, in 2020, 66% of Irish internet users detailed at this time that they had used the internet to search health related information and access to health services[[2]](#footnote-2), which illustrates how widely used the internet has become for communication and access to services.

Meeting requirements under the WAD therefore can also contribute to meeting some requirements under the Code. The most obvious link is with accessibility of digital information, however, the links are not solely to do with information, as more and more public services require some level of online interaction in order to access services. It must be noted, however, that accessibility of all forms of communication (not just digital) is still a requirement for Departments and public bodies.[[3]](#footnote-3)

A further example of the interconnected nature of accessibility requirements and the NDA’s monitoring can be found in looking at how the provision and promotion of an Access Officer can also be linked to Part 5 of the Disability Act in considering the needs of applicants and interview candidates to have a point of contact to ensure:

* access to the building or
* inquire about accommodations or
* provision of accessibility services such as ISL interpretation.

Access Officers can also be a point of contact for persons already employed within the organisation. As Access Officers operate as a point of contact for staff and candidates to raise issues, having an Access Officer within an organisation can therefore help foster a more inclusive working culture.

These are illustrations of how some of our monitoring functions are interconnected. As the NDA progresses with the monitoring of this Code as well as continuing with other monitoring functions the NDA will aim to coordinate these links within the NDA statutory monitoring processes and by extension, across the Departments and public bodies with these statutory obligations.

## The purpose of this monitoring report

For the purposes of this report, the NDA carried out a desk-based evaluation of conformance of all public bodies against specific statutory requirements regarding:

### Section 26 (2) Access Officer

As set out under Section 26 of the Disability Act 2005, public bodies have a statutory requirement to appoint an Access Officer in the organisation.

Each head of a public body 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[[4]](#footnote-4)

This report presents the findings of this NDA monitoring exercise. The NDA will continue carrying out targeted monitoring regularly following the publication of this monitoring report.

## Methods

As detailed above the NDA undertook a desk-based monitoring activity which consisted of analysing the websites of public bodies considered to be included in the definition of public bodies under Part 3 of the Disability Act 2005.

The NDA initially identified 292 public bodies who were considered to be included under this definition and were confirmed by the Office of each Department’s Secretary General in March 2021. However, following this monitoring exercise and communication with Departments, some updates and changes to public bodies have occurred. For the final monitoring report, the NDA identified 281 public bodies who were considered to be included in the definition of public bodies under Part 3 of the Disability Act 2005.

Part 3 of the Disability Act (Section 2(1)) defines a public body as follows:

“public body” means—

(a) a Department of State,

(b) the Office of the President,

(c) the Office of the Attorney General,

(d) the Office of the Comptroller and Auditor General,

(e) the Office of the Houses of the Oireachtas,

(f) a local authority,

(g) the Executive,

(h) a person, body or organisation (other than the Defence Forces) established—

(i) by or under any enactment (other than the Companies Acts 1963 to 2003), or

(ii) under the Companies Acts 1963 to 2003, in pursuance of powers conferred by or under another enactment, and financed wholly or partly, whether directly or indirectly, by means of moneys provided, or loans made or guaranteed, by a Minister of the Government or shares held by or on behalf of a Minister of the Government;

In 2021 the NDA monitored the websites of each public body with responsibilities under the Disability Act with regards to the provision of information for the statutory requirement laid out in Section 26(2):

### Section 26(2) Access Officer

The Code of Practice explains what is necessary to be deemed compliant under Section 26(2) of the Disability Act 2005 and states that a public body can achieve this by:

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.

The websites of each public body were monitored against an indicator consisting of three criteria to evaluate if the required information was promoted with regards to the Access Officer. The three criteria are as follows:

* The promotion of the appointment of an Access Officer
* Information on how to contact the Access Officer
* A variety of communication channels for contacting them.

The NDA monitoring team evaluated the information provided on the websites of 292 public bodies (later adjusted to 281) and made an assessment on conformance against the above indicator derived from the Code of Practice and the findings were recorded into a database. One member of staff would do an initial examination of websites and then in the instance of no details being found two further staff members went through to check and finally verify that they were also unable to find the Access Officer details.

These findings were then analysed and presented in draft reports, which were sent to the Offices of the Secretaries General for each Department. Departments were asked to circulate the draft reports to public bodies under their aegis and were given the opportunity to respond to the draft report.

Allowing for response is an important part of the monitoring process for this activity. The aim of the NDA in this monitoring exercise, was not to catch public bodies by surprise, but rather to increase awareness of, and thus adherence to, requirements under the Disability Act, 2005. Therefore, prior to the issuing of draft reports, representatives of each Department were invited to attend an information session and round table discussion to discuss the monitoring process, high level findings and future monitoring under the Codes of Practice. Ample time was permitted for response following the first monitoring activity of this sort.

Following the issuing of the draft reports, public bodies were invited to engage with the NDA:

with any queries they may have,

to provide addresses of pages containing information on the Access Officer in the instance information was missed in the NDA’s initial inspection,

provide updates on the status of public bodies, and

let the NDA know of any updates to the website following the report.

It is envisaged that a follow up exercise will be conducted at regular intervals following publication of this final report to track additional trends in Access Officer provision across public bodies.

Detailed results from each Department following this exercise are available in Appendix A.

# Initial Monitoring Findings

As stated previously the final number of public bodies has been updated following the reporting of initial findings.

Throughout 2021, the websites of each public body were monitored to evaluate if the following information was promoted with regards to the Access Officer:

* The promotion of the appointment of an Access Officer
* Information on how to contact the Access Officer
* A variety of communication channels for contacting them.

Analysis and drafting of the monitoring report took place in late 2021 and early 2022.

Adjusting for the updated number of public bodies, initial findings found, that of 281 public bodies, 134 (47.7%) promoted the appointment of an Access Officer on their public website, whereas 147 (52.3%) public bodies appeared to have no information on their public websites concerning Access Officers. See Chart 1.

Chart 1-Initial Findings- Access Officer Promoted

Of the bodies which did have Access Officers advertised on their website; 130 (97%) provided contact information and four (3%) did not provide contact information.

Of the 130 public bodies that promoted the Access Officer on their website and provided contact details, 98 (75.4%) provided communication channels which would facilitate both spoken and written contact with the Access Officer whereas 32 (24.6%) provided only one method of communication.

Therefore, out of the total 281 public bodies, 98 (34.9%) public bodies met all the criteria of the indicator with regard to Access Officer. See Chart 2

Chart 2- Initial Findings- Public bodies who met all criteria of the indicator

# Final Monitoring Findings

Final monitoring findings were assessed in the same way as the initial findings reported above.

Following on from the issuing of the draft report and taking into account the resulting updated information provided by public bodies, of 281 public bodies, 192 (68.3%) promoted the appointment of an Access Officer on their public website, whereas 89 (31.7%) public bodies appeared to have no information on their public websites concerning Access Officers. See Chart 3.

Chart 3- Final Monitoring Findings- Access Officer Promoted on Website

Of the bodies which did have Access Officers advertised on their website; 191 (99.5%) provided contact information and one (0.5%) did not provide contact information. See Chart 4.

Chart 4- Final Monitoring Findings- Access Officer Promoted with Contact Information

Of the 191 public bodies that promoted the Access Officer on their website and provided contact details, 165 (86.4%) provided communication channels which would facilitate both spoken and written contact with the Access Officer whereas 26 (13.6%) provided only one method of communication. (See Chart 5).

Chart 5- Final Findings- Written and Spoken Communications

Therefore, overall, a total of 165 (58.7%) public bodies met all the criteria of the indicator with regard to Access Officer while 116 (41.3%) did not. (See Chart 6)

Chart 6- Final Findings- Public Bodies who met all Criteria

Below is a table which details performance against this indicator by Department and the public bodies under their aegis. More detailed information on departmental analysis is available in Appendix A.

## Table 1 – Compliance of Departments and their aegis bodies with the Access Officer indicator

| **Name of Department \*** | **Access officer promoted (%)** | **Compliant with all criteria (%)** |
| --- | --- | --- |
| Dept. of Education | 100.0 | 100.0 |
| Dept. of Foreign Affairs | 100.0 | 100.0 |
| Dept. of Finance | 90.9 | 90.9 |
| Dept. of Justice | 96.2 | 88.5 |
| Dept. of Agriculture | 84.2 | 76.9 |
| Dept. of Further and Higher Education, Research, Innovation and Science | 79.2 | 75.0 |
| Dept. of Rural and Community Development | 75.0 | 75.0 |
| Dept. of Health | 70.0 | 60.0 |
| Dept. of Environment, Climate and Communications | 64.3 | 57.1 |
| Dept. of Social Protection | 57.1 | 57.1 |
| Dept. of Public Expenditure, NDP Delivery and Reform | 69.2 | 53.8 |
| Dept. of Enterprise Trade and Employment | 64.3 | 50.0 |
| Dept. of Children, Equality, Disability, Integration and Youth | 57.1 | 42.9 |
| Dept. of Housing, Local Government and Heritage | 52.7 | 40.0 |
| Dept. of Transport | 55.6 | 38.9 |
| Dept. of the Taoiseach | 66.7 | 33.3 |
| Dept. of Tourism, Culture, Arts, Gaeltacht, Sport and Media | 27.3 | 13.6 |
| Dept. of Defence | 50.0 | 0.0 |
| **Overall Compliance Totals** | **68.3** | **58.7** |

\*note that percentages are for the Department plus their aegis bodies.

# Impact of Monitoring

Overall, since the issuing of the draft report the NDA notes there has been a marked improvement in the advertisement of Access Officers on public body websites. The advertisement on public body websites has jumped from 134 (47.7% of all public bodies monitored) to 192 (68.3% of all public bodies monitored). This represents a 43.3% increase in promotion of Access Officers on public body websites monitored. (See Chart 7)

Chart 7- Change to Promtion of Access Officers On Websites

In addition, there was a marked improvement in the provision of Access Officers with contact information provided facilitating written and spoken communication and therefore meeting all criteria under this indicator. This improved from, 98 (34.9% of public bodies monitored) to 165 (58.7% of public bodies monitored) representing a 68.4% improvement. (See Chart 8)

Chart 8-Public Bodies meeting all Criteria

Precise measuring of the impact of the NDA’s monitoring on these numbers is difficult as there are many factors which can contribute to the increased provision and promotion of Access Officers across the public service. However, since issuing the draft report the NDA has received 85 responses from public bodies. Of these 85 responses, 75 responses provided information and updates with regards to details on public websites.

Of the 75 responses received which provided updated information on public websites, 62 (82.7% of responses) indicated that the information was updated as a result of the draft report being issued. 13 of the responses (17.3% of responses) did not specify.

Further to the improvements detailed above, individual Departments such as the Department of Justice have used the opportunity to further engage with public bodies under its aegis in this regard.

This engagement has led to the development of a justice sector Access Officer Network that will meet regularly to discuss best practice, advice, exchange information, listen to and learn from the lived experience of disabled people, and to keep apprised of new developments. The NDA welcomes this approach by the Department of Justice. The NDA would suggest this be followed as a good practice example and would advise that other Departments may find it useful to set up similar networks for bodies under their aegis.

### Limitations of the monitoring process

* The purpose of this monitoring exercise was to evaluate information available publicly therefore, where public bodies have internally appointed an Access Officer but not promoted the information publicly, this is deemed as not compliant.
* While the NDA endeavours to engage with persons with disabilities and the wider disability community in the course of its work,[[5]](#footnote-5) as this monitoring exercise was completed using direct inspection of public bodies websites, we did not engage with persons with disabilities as part of the process. However, upon launch and publication of this report we will be seeking the feedback of Disabled Persons Organisations (DPOs) and engagement and input from DPOs will be sought in future monitoring activities as relevant and appropriate.
* At this time monitoring only examined the appointment of the Access Officer as promoted on public body websites, this monitoring did not analyse any operational elements such as ability to reach the Access Officer, response times etc. Monitoring of operational elements do not fall under the NDA’s legislative remit at this time, and further monitoring in this area would be subject to legislative and capacity considerations. Departments and public bodies may wish to assess the efficiency of these operational elements internally for themselves as a method of monitoring their own progress over time.
* The monitoring exercise is an evaluation at a point-in-time only (2021 with updates provided assessed in early 2023). Developments in the focussed areas may have occurred that have not yet been captured by the NDA, therefore some public bodies may have moved to different Departments for example, or in the case of the Institutes of Technology have been incorporated into new organisations. These changes are not captured in this report but will be updated in future reports. Also, it is acknowledged that the NDA received some responses from public bodies indicating that their websites will be updated but that these updates would take time. Any further updates to websites completed after 15th June 2023 will be captured in subsequent monitoring reports.
* It was found that the information provided on many public body websites did not display a Universal Design approach and did not follow the [Customer Communications Toolkit for Services to the Public - A Universal Design Approach](https://universaldesign.ie/products-services/customer-communications-toolkit-for-services-to-the-public-a-universal-design-approach/) which was produced by the NDA and Department of Public Expenditure, NDP Delivery and Reform to inform the design and procurement of customer communications across the Public Service. As such, the information on the websites was often not easily accessed and understood. In conducting this exercise, NDA staff found difficulty retrieving information on some websites due to the complexity in their navigation, despite undertaking significant work to search for the relevant data. These issues were also reflected when the NDA conducted its first monitoring activity under the S.I. No. 358/2020 - European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020 (EU Web Accessibility Directive [WAD]) in December 2021. For more information on web accessibility issues public bodies are encouraged to read the [NDA’s EU WAD monitoring report](https://nda.ie/publications/monitoring-report-eu-wad-ireland-2021-nda-report).

The NDA’s monitoring of the Code of Practice has highlighted areas for improvement with regards to promotion of information for the consideration and action of each public body. It is important that findings are reflected upon, the recommendations are implemented consistently, and performance is continuously improved so that public bodies meet their statutory obligation to provide an accessible and integrated public service for persons with disabilities.

# Conclusion and Recommendations

## Conclusion

While this monitoring exercise has resulted in a marked improvement in the advertisement of Access Officers on public body websites monitored, there are still 116 public bodies (41.3%) which did not meet the requirements under the Access Officer indicator. It is therefore clear that public bodies still need to improve awareness of their responsibilities under the Section 26(2) of the Disability Act and to take action to ensure they make the relevant information available to the public.

The NDA advises public bodies to update their internal procedures if the appropriate processes/appointments are not in place. In addition to this, public bodies with an Access Officer in place must ensure that the Access Officer has appropriate training, resources, and information to support them to carry out their duties as specified by the Disability Act 2005. Guidance from the NDA is available in the [Access Officer Guidance for Public Bodies](https://nda.ie/publications/access-officer-guidance-for-public-bodies) document regarding appointment, training, duties and processes surrounding Access Officers.

The NDA would also advise public bodies to ensure their websites are updated accordingly in line with the legal obligations of the Disability Act, the WAD[[6]](#footnote-6), and the statutory requirements outlined within the Code of Practice.

In order to assist public bodies in meeting the requirements under the Disability Act and improving services and information provided to the public, including those with disabilities, the NDA will carry out this type of targeted monitoring exercise at regular intervals, examining and re-examining several elements of the Code of Practice, and will report on same. The NDA will, for example, conduct an updated monitoring exercise next year that will include updating the data on the Access Officer requirement as well as reporting on further improvements made in this area.

While the monitoring shows that there is further focus required to meet the requirements of the Code of Practice, over the period of this monitoring exercise improvements were made. The NDA is confident of further improvements as monitoring continues and will continue to provide information and advice to public bodies on their statutory obligations in relation to accessibility of information and services. This monitoring process has been and will continue to be of benefit in increasing awareness of the Code of Practice, and therefore compliance with the Disability Act, and we look forward to seeing improved performance in the next report.

The NDA wishes to provide the below recommendations to public bodies, regardless of their performance in this monitoring exercise. The recommendations detailed below are linked to requirements under Section 26(2) Access Officer and the Code of Practice. Recommendations are based on observations from this monitoring activity and our findings. Further information and recommendations can be found in the [Access Officer Guidance for Public Bodies](https://nda.ie/publications/access-officer-guidance-for-public-bodies) document available on the NDA website and the NDA strongly recommends all public bodies consult this document regardless of the findings of this monitoring exercise.

## Recommendations

The NDA advises that all public bodies consider the following recommendations to ensure they meet their statutory obligation under the Disability Act and the requirements of the Code of Practice. The recommendations are presented under three themes:

1. **Access Officer:** Recommendations specific to Section 26 Access Officer
2. **Universally designed websites**: Recommendations that apply to Section 26 Access Officer
3. **Contact information**: Recommendations that apply to Section 26 Access Officer

The recommendations are as follows:

**1. Access Officer**

1. Public bodies should be aware of and understand their obligations with regards to the Access Officer as outlined within Section 26(2) of the Code of Practice. This obligation exists regardless of whether or not an office is open regularly to members of the public.[[7]](#footnote-7)
2. All public bodies should appoint at least one Access Officer in accordance with Section 26(2) of the Code of Practice. The decision on how many Access Officers to appoint is the responsibility of the public body and depends on the size of the body; having more than one site; demand on service; etc. That officer is responsible for providing or arranging for and co-ordinating assistance and guidance to persons with disabilities accessing the services provided by that body.
3. All public bodies should promote the appointment and availability of Access Officer(s) and how they may be contacted on their website, so that the general public is made aware of them and knows how to avail of their assistance.
4. Access Officers are to be available to persons with disabilities wishing to access services provided by the public body and to staff requiring advice and support.
5. Consider the establishment of an Access Officer Network as is being established by the Department of Justice. These Networks can provide Access Officers with the opportunity to discuss best practice, advice, exchange information, listen to and learn from the lived experience of disabled people, and to keep apprised of new developments.

**2. Universally designed websites**

Public bodies can eliminate barriers to accessing services and information provided by them by enhancing their understanding and awareness of Universal Design. Application of a Universal Design approach would mean that information and services can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size, ability or disability.

The NDA found that many public body websites presented information in a complex and inconsistent way where it was often challenging to navigate the site and to find information regarding the Access Officer. As such, the NDA felt it prudent to employ three members of the team to evaluate each website at separate times for assurance and accuracy; where a staff member found no details of an Access Officer available on a public body website, this was checked and validated by two additional staff members to ensure that information was not missed. Therefore, if three members of NDA staff did not find clear and adequate information on Access Officers on public bodies’ websites it would stand to reason people with disabilities would also struggle to find this information.

We recommend that websites should be designed to be easy to navigate, easy to understand and usable for persons with disabilities:

1. The webpages which contain the information regarding the Access Officer should be promoted on the homepage of the public body website. The number of clicks to access this information should ideally take one click but no more than two.
2. The user should be able to easily and intuitively identify the correct button to access this information on the homepage, whether it be embedded within the page itself, within the contents section or in the primary navigation bar.
3. The search box function should locate information for the Access Officer and list the webpages that contain this information at the top of the search list, but as detailed in point b, the search box function should not have to be relied upon.
4. The NDA found that sometimes information about the Access Officer was found within a customer charter, organisation strategy or other document regarding the business of the public body. In this case the information was very difficult to find. These documents should not be the only source of the information. Information regarding the Access Officer should be located on a webpage. Any Office file formats, documents such as Word or PDFs found on the website that replicate this information, should be fully accessible.
5. As indicated above Access Officer information was sometimes published, but not easy to find or access. The NDA therefore recommends that information about the Access Officer should be prominent on its own webpage or on a relevant webpage such as a ‘contact us’ or ‘accessibility’ webpage. Regardless of where the information is situated, its location should be easily identifiable and navigable from the homepage of the website.[[8]](#footnote-8)
6. Although not the subject of this monitoring exercise, the websites and mobile phone applications of all public bodies are legally required to be compliant with the EU Web Accessibility Directive (WAD) and meet Level AA Success Criteria from the international guidelines WCAG 2.1. As mentioned previously the NDA is the national monitoring body for the purpose of this Directive. If websites are deemed to be WAD compliant, they are more likely to be easily accessible and understood and therefore more likely to meet the Access Officer criteria.

**3. Contact Information**

1. Information of how to contact the Access Officer should be provided. There were incidences where information that an Access Officer had been appointed was provided but information about how to contact them was omitted.
2. When information regarding the services of public bodies is hosted as a subdomain on their parent department’s website, the subdomain should include a link to the public body’s Access Officer details. When the information about the Access Officer is that of the parent department, a link should still exist on the public body’s subdomain so that users are informed of this and understand how to make contact.
3. There should be more than one form of communication channel by which a member of the public can contact the Access Officers. At least one written form of communication and one spoken should be promoted to the public. The provision of multiple communication channels is essential so that people with disabilities can make contact with the Access Officer through a channel that is accessible to them. This requirement is outlined under Section 28 of the Code of Practice:

Establishing procedures for processing requests for accessible formats that may be provided as far as practicable including providing for a dialogue with the customer.

The public body should also have due regard to the Irish Sign Language (ISL) Act 2017 and ensure they do all that is reasonable to ensure ISL interpretation is provided when a person is seeking to avail of their services, this includes interaction with the Access Officer. Public bodies may consider, when producing any ISL content for websites, inclusion of Access Officer contact details as part of this content to ensure those who communicate and receive information through ISL are aware of how the Access Officer may be contacted.

1. <https://www.cso.ie/en/releasesandpublications/ep/p-isshict/internetcoverageandusageinireland2022/householdinternetconnectivity/#:~:text=In%202022%2C%2094%25%20of%20households,(90%25%20of%20households)>. [↑](#footnote-ref-1)
2. <https://www.cso.ie/en/releasesandpublications/ep/p-syi/statisticalyearbookofireland2021part1/soc/internetusagebyhouseholds/> [↑](#footnote-ref-2)
3. [The Customer Communications Toolkit for the Public Service - A Universal Design Approach](https://universaldesign.ie/products-services/customer-communications-toolkit-for-services-to-the-public-a-universal-design-approach/) is an excellent resource available for Departments and public bodies to ensure that communications with the public in all forms are not only accessible, but are universally designed. [↑](#footnote-ref-3)
4. The NDA has produced [Access Officer Guidance for Public Bodies](https://nda.ie/publications/access-officer-guidance-for-public-bodies) to assist public bodies and Departments in understanding the role of access officer and providing information on how best to support and make use of the Access Officer role [↑](#footnote-ref-4)
5. This is detailed in the [National Disability Authority’s strategic plan 2022-2024](https://nda.ie/uploads/publications/nda-strategic-plan-2022-2024.pdf) [↑](#footnote-ref-5)
6. Public sector bodies must prepare and regularly update a detailed, comprehensive and clear Accessibility Statement on the compliance of their websites and mobile applications with the EU (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020. These regulations include the provision of a mechanism for reporting inaccessible content and requesting accessible documentation which can be fulfilled by an Access Officer. CUED has produced [Guidance on writing Accessibility Statements](https://universaldesign.ie/technology-ict/web-and-mobile-app-accessibility/accessibility-statement1/#writingaccessibilitystatement) for public bodies to help with requirements in terms of Accessibility Statements. [↑](#footnote-ref-6)
7. It is also important to note that Access Officers can be useful in the context of not just members of the general public but job applicants, contractors, external stakeholders attending on site meetings and employees of the public body itself [↑](#footnote-ref-7)
8. Public bodies should note that in the NDA’s [guidance on writing](https://universaldesign.ie/technology-ict/web-and-mobile-app-accessibility/accessibility-statement1/) an accessibility statement which will be compliant with the requirements under the WAD a feedback mechanism must be included. This mechanism can be the Access Officer, however, in addition to details being provided as part of the accessibility statement, details for the Access Officer should be made clear on another section of the website (as detailed above). This is because it needs to be clear that accessibility of digital information is only one aspect of this role. [↑](#footnote-ref-8)