



POLICY No. 2009-02

Accessible Customer Service Policy

Originating Department CLS-LI-06-2009

SMT Approval: 2009-05-28

Council in Committee: 2009-09-14

Recommendation #: 27

Council Approval: 2009-09-21

Resolution #: 281-09

Revision History:

[Click here for revision history](#)

Policy Statement

The Corporation of Haldimand County is committed to improving accessibility for persons with disabilities in a manner that respects dignity, independence, integration and equality of opportunity. This is in keeping with Haldimand County's Mission Statement to promote the well-being of communities, and its Vision Statement to meet community needs through service improvements, staff development, integrated planning, use of technology and balanced policies.

Purpose

The *Accessibility for Ontarians with Disabilities Act, 2005* (the "AODA") is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises by January 1, 2025.

Under the AODA, Ontario Regulation 191/11, entitled "Integrated Accessibility Standards," came into force on July 1, 2016. The Regulation establishes accessibility standards for customer service and applies to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario.

This policy is drafted in accordance with the "Integrated Accessibility Standards" (Ontario Regulation 191/11) and addresses the following:

- the establishment of policies
- the provision of goods and service to persons with disabilities;
- the use of assistive devices by persons with disabilities;

- the use of service animals by persons with disabilities;
- the use of support persons by persons with disabilities;
- notice of temporary disruptions in services and facilities;
- customer feedback regarding the provision of goods and services to persons with disabilities; and
- notice of availability and format of documents.

Application

This policy applies to all persons who deal with members of the public or other third parties on behalf of the County, whether the person does so as an employee, member of Council, agent, volunteer, student on placement, or otherwise and all persons who participate in developing the County's policies, practices and procedures governing the provision of goods and services to members of the public or other third parties. This policy will also apply to Volunteer Firefighters as well as members of the Haldimand County Public Library Board and its employees and volunteers.

Definitions

Assistive Devices

An **assistive device** is a tool, technology or other mechanism that enables a person with a disability to do everyday tasks and activities such as moving, communicating or lifting. It helps the person to maintain their independence at home, at work and in the community. Assistive devices include things such as communication aids, cognition aids, personal mobility aids and medical aids.

Barrier

A **barrier** is defined as anything that prevents a person from fully participating in all aspects of society because of a disability.

- architectural or physical barriers are features of buildings or spaces that cause problems for people with disabilities, for example, doorways that are too narrow for a person using a wheelchair, and poor lighting for people with low vision;
- information and communication barriers happen when a person can't easily understand information, for example, a publication that is not available in large print or unavailability of TTYs;
- attitudinal barriers are those that discriminate against people with disabilities, for example, assuming that a person with a speech impediment can't understand you;
- technology barriers occur when a technology cannot be modified to support various assistive devices, for example, a website that doesn't support screen-reading software, or traffic lights that change too quickly before a person with a disability has time to get through the intersection;
- systemic barriers are an organization's policies, practices or procedures that discriminate against people with disabilities, for example, not offering different ways to complete a test as part of job hiring.

Disability

“**Disability**” covers a broad range and degree of conditions, some visible and others not. A disability may have been present from birth, caused by an accident, or developed over time. It includes physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. The *Ontario Human Rights Code* provides for equal rights and opportunities, and freedom from discrimination. Under the “Interpretation and Application” section of the *Code*:

“Disability” means,

- (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- (b) a condition of mental impairment or a developmental disability;
- (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- (d) a mental disorder, or
- (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

Principle of Dignity

The **principle of dignity** calls for policies, procedures and practices that respect the dignity of a person with a disability and that treat them as customers and clients who are as valued and as deserving of effective and full service as any other customer.

Principle of Equality of Opportunity

The **principle of equality of opportunity** means having the same chances, options, benefits and results as others. People with disabilities should not have to make significantly more effort to access or obtain service. They should not have to accept lesser quality or more inconvenience.

Principle of Independence

The **principle of independence** means freedom from control or influence of others; the freedom to make your own choices.

Principle of Integration

The **principle of integration** means that services are provided in such a way that people with disabilities can fully benefit from the same services, in the same place, and in the same or similar way as other customers. Alternative measures, rather than integration, might be necessary because the person with the disability requires it, or because the organization cannot

provide another option at the time. In these cases, the organization needs to consider what else can be done to provide services to people with disabilities.

Service Animal

To be considered a **service animal** under the Standard, it must either be readily apparent that the animal is being used because of a person's disability as a result of visual indicators such as the vest or harness worn by the animal, or the person with a disability must be prepared to show a letter from regulated health professionals confirming that it is required for reasons relating to their disability. These regulated health professionals include:

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

Examples of service animals include dogs used by people who are blind, hearing alert animals for people who are Deaf, and animals who are trained to alert an individual to an oncoming seizure and lead them to safety.

There is an exception to the requirement under the Standard on allowing service animals, and that is when another law specifically states that animals must be excluded (for example, Ontario Regulation 493/17 under the *Health Protection and Promotion Act* states that animals are not allowed in places where food is manufactured, prepared, processed, handled, served, displayed, stored, sold or offered for sale. The regulation makes an exception for service dogs to allow them to go where food is normally served, sold or offered for sale.)

Some people with disabilities rely on **support persons** for certain services or assistance, for example, a person with a speech impediment may use a support person to facilitate communication. A support person may be a paid professional, a volunteer, a family member or friend of the person with the disability. He or she does not necessarily need to have special training or qualifications. In some cases, a support person may have to agree to rules or requirements that are specific to the kinds of goods or services that the County provides. Where confidentiality is important because of the kind of information being discussed, staff may require the support person to sign a confidentiality agreement.

Policy

Assistive Devices

Persons with disabilities shall be permitted to obtain, use or benefit from goods or services through the use of their own assistive devices, unless otherwise prohibited due to health and safety or privacy issues. Where applicable, assistive devices owned and operated by Haldimand County will be available for use by persons with disabilities.

It is the responsibility of the person with a disability to ensure that their assistive device is operated in a safe and controlled manner at all times.

Service Animals

Persons with disabilities may enter premises owned and operated, or operated, by Haldimand County accompanied by a service animal and keep that animal with them if the public has access to such premises and the animal is not otherwise excluded by law (see list of legislation under “Related Documents,” which provides a non-exhaustive list of such legislation.)

Where a service animal is to be denied access to a facility or area of a facility, other accommodations may be afforded, such as delivering the goods or services at an alternate time or location, or in an alternate format, such as teleconference/videoconference, where technology permits.

Owners of service animals may receive information from staff as to the location of fresh water for the service animal and where service animals may be walked to relieve themselves.

If it is not readily apparent that the animal is a service animal, the County may ask the person with a disability for a letter from a Regulated Health Professional, confirming that the person requires the animal for reasons relating to their disability.

It is the responsibility of the person with a disability to ensure that their service animal is kept in control at all times.

Support Persons

A person with a disability may enter premises owned and operated, or operated, by Haldimand County with a support person and have access to the support person while on the premises.

A support person, when assisting a person with a disability to obtain, use or benefit from Haldimand County’s goods and services, where an admission fee is applicable, will be permitted to attend free of admission, except:

- when there are fees applied against participants by a third party;

- where the support person actively participates in the program and the program or service requires pre-registration and the support person was not registered;
- where no vacancy exists
- where the support person actively participates in the program or service, for example, if a meal is served at a fund-raising dinner.

If admission to an event is permitted and fees are payable to a third party, the support person is permitted to attend the event at their own cost. Where admission fees are applicable, Haldimand County will provide advance written notice of the fee on all applicable communications.

The customer shall determine whether a support person is necessary. Haldimand County may deem it necessary, however, to require a support person for a person with a disability in order to protect the health and safety of that person or of others on the premises. This will occur only after consultation with the person with a disability, using the following criteria:

- there is a significant risk to the health and safety of the person with a disability or others;
- the risk is greater than the risk associated with other customers;
- the assessment of the risk is based on consideration of the duration of the risk, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the imminence of the potential harm;
- the assessment of risk is based on the individual's actual characteristics, not on stereotypes about persons with disabilities.

Notice of Temporary Service Disruption

In the event of a planned service disruption to facilities or services that are relied upon by persons with disabilities to access Haldimand County's goods or services, notice of the disruption shall be provided in advance. The notice must include the following information:

- the reason for disruption;
- anticipated duration of the disruption;
- description of alternate facilities or services, if available;
- contact information.

Notice may be given by posting the information in a conspicuous place on premises owned or operated by the provider of goods or services, or posted on the Haldimand County web site, or by such other method as is reasonable under the circumstances. In the event of an unexpected disruption, notice will be provided as soon as possible.

Training

Haldimand County will ensure that all persons to whom this policy applies receive training as required by the Integrated Accessibility Standards. The amount and format of the training given will be tailored to suit each person's interaction with the public and their involvement in the development of policies, procedures and practices pertaining to the provision of goods and services.

The content of the training, regardless of format, will include:

- an overview of the purposes of the *AODA*;
- an overview of the requirements of the Integrated Accessibility Standards;
- instruction on Haldimand County's policies, procedures and practices pertaining to the provision of goods and services to persons with disabilities;
- instruction on interacting and communicating with people with various types of disabilities;
- instruction on interacting with people with disabilities who use assistive devices, or require the assistance of a guide dog, other service animal, or a support person;
- information about the equipment or devices available on the County's premises that may help with the provision of goods and services to people with disabilities;
- instruction about what to do if a person with a disability is having difficulty accessing County goods or services.

Training will be provided as soon as practicable upon an individual being assigned the applicable duties, as well as on an ongoing basis as changes occur to the County's policies, procedures and practices governing the provision of goods or services to persons with disabilities.

The County will keep records of the training, including the date on which training is provided, the names of the people to whom the training is provided, and the number of individuals to whom it is provided. The names of individuals trained will be recorded for training administration purposes, subject to the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Feedback Process

Feedback from a member of the public about the delivery of goods and services to persons with disabilities may be given by telephone, in person, in writing, in electronic format or through other methods, and all such documents will be logged.

Response time to the feedback will depend on the issue, but will not exceed fifteen business days.

Information about the feedback process will be readily available to the public and notice of the process will be posted on the County's website (www.haldimandcounty.ca) and/or in other appropriate locations.

Availability and Format of Documents required by the Accessibility Standards for Customer Service

Haldimand County shall notify person to whom it provides goods and services that the documents required under this regulation are available upon request, subject to *MFIPPA*. The notice may be given by posting the information at a conspicuous place owned and operated by Haldimand County, the website, and/or any other reasonable method.

If Haldimand County is required to provide a copy of a document to a person with a disability, Haldimand County will take into consideration the person's disability and provide that document in an appropriate form. Haldimand County and the person with a disability will agree on what format will be used.

Exclusions

This policy shall not apply during any period where an emergency has been declared by the head of Council.

Responsibilities

Haldimand County (includes all departments, divisions and staff) is responsible for ensuring compliance with the Integrated Accessibility Standards Regulation 191/11 by:

- including accessibility in annual planning processes;
- budgeting for accessibility requirements;
- establishing policies, practices and procedures on providing goods and services to people with disabilities, and ensuring that the policies, practices and procedures are consistent with the principles of independence, dignity, integration and equality of opportunity;
- supporting staff and volunteer attendance at training on providing customer service to people with disabilities;
- communicating with a person with a disability regarding the use of a service animal, support person, or assistive device;
- coordinating and/or providing services to a person with a disability who may use a service animal, support person, or assistive device;
- providing notification of service disruptions and support person admission fees;
- establishing a feedback process so that the public can comment on the provision of goods and services to people with disabilities;
- providing notification that policies, practices and procedures are available and will be provided in a format that takes into account the requesting person's disability.

The Customer is responsible for:

- care and control of their service animal when accessing goods or services;
- providing service animal certification upon request;
- providing input when requested in order to work out service discrepancies;
- using feedback process to provide comments on service.

Related Documents

- *Ontarians with Disabilities Act, 2001*
- *Accessibility for Ontarians with Disabilities Act, 2005*
- *Ontario Regulation 191/11 –Integrated Accessibility Standards*
- *Ontario Human Rights Code*
- *Haldimand County Annual Accessibility Plan*
- *Ontario Regulation 31/05 under the Food Safety and Quality Act, 2001*
- *Ontario Regulation 493/17 under the Health Protection and Promotion Act*
- *Haldimand County Animal Control By-law (No.1396-13)*
- *Dog Owner’s Liability Act*

| REVISION HISTORY | | | | | |
|------------------|-----------|------|-----------|-------|--|
| REPORT | CIC | | COUNCIL | | DETAILS |
| CEC-06-2023 | 23-May-23 | 10 | 29-May-23 | 85-23 | Policy updated to reflect new Regulations and verbiage changed to reflect gender neutral language. |
| | Date | Rec# | Date | Res# | |
| | Date | Rec# | Date | Res# | |
| | Date | Rec# | Date | Res# | |