
Meeting: GENERAL PURPOSE AND ADMINISTRATION COMMITTEE

Date: November 2, 2009

Resolution # GPA-595-09

Report #: CLD-023-09

File #:

By-law #:

Subject: CUSTOMER SERVICES STANDARDS – ACCESSIBILITY FOR ONTARIANS
WITH DISABILITIES ACT, 2005

RECOMMENDATIONS:

It is respectfully recommended that the General Purpose and Administration Committee recommend to Council the following:

1. THAT Report CLD-023-09 be received; and
2. THAT the Customer Service Standard Policy included as Attachment No. 1 to Report CLD-023-09 be approved and incorporated into Corporate Policy.

Submitted by: 
Patti L. Barrie, CMO
Municipal Clerk

PLB*

Reviewed by: 
Franklin Wu,
Chief Administrative Officer

1.0 BACKGROUND AND COMMENT

1.1 The *Accessibility for Ontarians with Disabilities Act (AODA)*, was passed in 2005 and includes five standards addressing:

- Customer Service
- Transportation
- Accessible Information and Communications
- Accessible Built Environment
- Employment Accessibility

The first of the standards to be passed is the Customer Service Standard, which came into effect January 1, 2008 and municipalities and other designated public sector organizations must comply with the regulation by January 1, 2010.

The main areas covered by the Regulation are:

- Development of policies, practices, procedures
- Service animals and support persons
- Training of employees
- Provision of notice of disruption
- Establishment of a system for feedback
- Reporting requirements

2.0 ACTIONS TAKEN TO DATE

2.1 In order to ensure compliance with the Customer Service Standard, Accessibility Experts Ltd. was contracted to work through the requirements with staff. A committee comprised of representation from each department was formed and together have drafted the various policies required under the legislation. Attachment No. 1 contained herein is the Customer Service Standard Policy which is being recommended to be

adopted by Council. This policy has been reviewed and approved by the Accessibility Advisory Committee.

- 2.2 The standard requires that every person who deals with members of the public or who participates in developing the municipality's policies, practices and procedures governing the provision of goods and services to the public will receive training regarding the provision of goods and services to persons with disabilities. This training has commenced through our contract with Accessibility Experts Ltd. and is well underway. As well, three staff members have completed "train the trainer" training sessions and are now able to provide ongoing training. Methods of providing training to volunteers, agents, and contractors will be devised in the near future.
- 2.3 The staff committee will continue to meet on a quarterly basis to review and analyze any feedback received which impacts accessibility.

3.0 **RECOMMENDATIONS**

It is respectfully recommended that the Customer Service Standard Policy attached hereto as Attachment No. 1 be approved and incorporated into Corporate Policy, in accordance with the AODA.

- integration, except when alternate measures are necessary to meet the needs of people with disabilities; and
- equal opportunity.

By considering these principles when developing policies, practices, and procedures, accessibility planning becomes established within the policy and procedure development process.

Accessibility Training Procedure

Every person who deals with members of the public or who participates in developing the Municipality of Clarington's policies, practices and procedures governing the provision of goods and services to the public, including Municipality of Clarington staff, volunteers, agents, contractors and others who provide service on behalf of the Municipality of Clarington, will receive training regarding the provision of goods and services to persons with disabilities.

The training will include the following information:

- a) the purposes of the *Accessibility for Ontarians with Disabilities Act, 2005*;
- b) how to interact and communicate with persons with various types of disabilities;
- c) how to interact with persons with disabilities who use an assistive device or require the assistance of a service animal or support person;
- d) how to use equipment made available by the Municipality of Clarington to help people with disabilities to access goods and services; and
- e) what to do if a person with a disability is having difficulty accessing the Municipality of Clarington's goods and services.

Training will be provided to each person according to his or her needs and duties and as soon as is practicable after he or she is assigned the applicable duties. Training will be provided on an ongoing basis in connection with changes to policies, practices and procedures governing the provision of goods or services to persons with disabilities. A record of the dates on which training is provided and the number of individuals to whom it is provided will be kept.

A summary of the training is provided in Appendix B.

Notice of availability of documents

The Municipality of Clarington will provide the public notice of the availability of the documents required by the Accessibility Standards for Customer Service, (O. Reg 429/07). A copy of the documents will be given upon request. Notice of availability will be provided on the Municipality's web site, www.clarington.net and through other methods.

Format of documents

Where the Municipality of Clarington is required by the *Accessibility for Ontarians with Disabilities Act, 2005*, to give a copy of a document to a person with a disability, the Municipality of Clarington will take into account the person's ability to access the information and will provide the document or information contained in the document in a format that meets those needs as agreed upon with the person.

Notice of Temporary Disruptions

Appendix C addresses the Notice of Temporary Disruptions.

Use of Service Animals and Support Persons

Appendix D addresses the use of Service Animals and Support Persons.

Feedback Process

Appendix E addresses the Feedback Process.

Assistive Devices

Appendix F addresses the use of Assistive Devices.

4. Appendices:

- A – Definitions
- B – Training Contents Summary
- C – Notice of Service Disruption
- D – Service Animal/Support Person
- E – Feedback on Services
- F – Assistive Devices

APPENDIX A TO POLICY H

Definitions

Accessible Customer Service means customer service is provided in a manner that is capable of being easily understood or appreciated; easy to get at; capable of being reached, or entered; obtainable.

Assistive Device means any device that is designed and/or adapted to assist a person to perform a particular task (for example, canes, crutches, walkers, wheel chairs, personal sound amplification devices, ventilators, etc.).

Disability means:

- a) Any degree of physical 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 impairment, 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 assistive 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.

APPENDIX B TO POLICY H_

Accessible Customer Service Training

Total: ½ day

1. Introduction/Clarification (5 mins)

Disability affects most of us; either ourselves or someone we know. As the population ages, we will have an increase in the number of people with disabilities in our communities. How can we make sure that all people have the opportunity to participate fully in Ontario communities?

The *Ontarians with Disabilities Act* (ODA) and the *Accessibility for Ontarians with Disabilities Act* (AODA) are pieces of legislation that have been made law by the Province of Ontario to ensure that our province is accessible by the year 2025.

- About 15.5% of the population currently has some form of disability.
- The number of people with disabilities is increasing as population ages.
- Review disability types.

2. Ice-Breaker/Warm-up Exercise (15 mins)

Ask people to indicate whether they themselves, relatives or friends have a disability as described in the disability types.

Follow up:

Are the statistics accurate?

Would increasing the level of accessibility assist those people we know?

3. Understanding the Legislation (20 mins)

Description:

Lecture style review of the ODA and AODA, the legislated requirements for an Accessibility Advisory Committee and an Annual Accessibility Plan, the provision of the various regulations and the specific requirements of the Customer Service Standard and upcoming standards.

Objectives:

- Learn about the legislation.
- Consider how the legislation contributes to the goal of an accessible Ontario.

4. Providing Customer Service to People with Disabilities (25 mins)

Description:

Large group discussion to include an overview of what accessible customer service is and how it applies to the work environment. A review of the current policies, procedures and practices, as established, that support accessible customer service. Discuss the types of assistive devices that are available or provided by the service provider and how customers can provide feedback on the service they receive. To include an overview of what to do if a person with a particular type of disability has difficulty accessing services.

Objectives:

- Understand what accessible customer service is.
- Understand that policies, procedures and practices are in place to support accessible customer service.
- Identify assistive devices that are available to support accessible customer service.
- Understand the feedback process and what to do if a person with a disability has difficulty accessing service.

5. Simulation Exercise/Case Study (60 mins)

Description:

A simulation exercise/case study to be completed in small groups. Each group will be given instructions to consider the case and develop a group response to be shared with the large group. Some groups may be required to venture outside the training room on a simulation exercise. Exercises and case studies will be based on situations that are pertinent to the learner group.

Objectives:

- Think about and discuss a specific situation and disabilities.
- "Put yourself in the role of a person with a disability".
- Identify barriers to service.
- Share the reactions from co-participants.
- Reflect and generalize on the experience.

6. What is your role in serving people with disabilities? (40 mins)

Description:

Facilitator will review the behaviours that can be shown by employees and will provide tips for serving a wide range of disabilities. Participants will add to the lists in a large group discussion format, based on their experience.

Objectives:

- Learn specific methods of serving customers with disabilities.
- Understand the roles and responsibilities; each learner has to treat all customers with respect.
- Learn more about specific limitations for people with disabilities.

7. How much do you know? (15 mins)

Description:

Skills inventory: self-score quiz on the ODA, AODA and the responsibilities of staff to people with disabilities.

Timing:

10 mins to complete quiz, 5 mins to take up quiz answers.

Provide instructions on the quiz. Large group to discuss answers.

Objectives:

- To show that some new information has been learned
- Learn some facts about the ODA and AODA
- Learn some facts regarding their responsibility to customers with disabilities.

8. Wrap Up/Evaluation (10 min)

Description:

Summary of what we have discussed and a general plan of how the information can be applied. Provides for the sharing of information on other resources and further information. Provides a time to collect a preliminary evaluation of the program.

Objectives:

- Summarize and reflect on the learning.
- Consider how new information will be applied/used back at work.
- Have the opportunity to evaluate the program.
- Get information on other resources.

APPENDIX C TO POLICY H_

NOTICE OF SERVICE DISRUPTION

1. Purpose:

Under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, Ontario municipalities are required to comply with Accessibility Standards for Customer Service, Ontario Regulation 429/07 as of January 1, 2010.

The Municipality of Clarington is responsible to provide notice to the public when facilities or services, upon which people with disabilities rely to access or use our goods and services, are disrupted.

In order to meet this commitment, the Municipality of Clarington will provide notification at the site of the disruption, on the website and by other appropriate and available means.

2. Procedures:

When a program is cancelled or a service is disrupted, staff responsible for making the decision must initiate the Notice of Service Disruption procedure.

- A sign shall be created (see Attachment No. 1) and posted in a conspicuous place at the site(s) of the cancellation or disruption.
- A copy of the sign or the information from the sign will also be added to the Municipality's website, www.clarington.net.
- A general e-mail will be sent to Customer Service staff regarding the service disruption or cancellation.
- Where applicable, other forms of notification will also be considered, ie, on an outgoing phone message, on public information boards, on local radio, etc.
- When the disruption or cancellation is over, the notices shall be removed and staff informed.

The notification shall include the specific service, location, reason for the disruption or cancellation, if possible, and specific length of the disruption or cancellation if known. Where possible, the notification should include an alternative option to the disrupted service.



N o t i c e

Disruption in Service

**There is currently an unexpected service disruption.
The estimated time of the service disruption will be:**

From: _____

To: _____

The disruption includes:

The following alternative services are available:

On behalf of the Municipality of Clarington we would like to thank you for your patience in this matter.

Contact: _____

APPENDIX D TO POLICY H_

SERVICE ANIMAL/SUPPORT PERSON

1. Purpose:

Under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, Ontario municipalities are required to comply with Accessibility Standards for Customer Service, Ontario Regulation 429/07.

In accordance with the regulation, the Municipality of Clarington must develop procedures that:

- a) permit customers with disabilities, who have support persons or service animals, to use them while accessing goods or services on premises open to the public and,
- b) where admission fees are charged, provide advance notice concerning what admission, if any, will be charged with respect to a support person.

This procedure applies only to those areas of the premises that the public or third parties are allowed to access.

2. Definitions:

"Guide Dog" - Guide dog has the same definition as in section 1 of the *Blind Persons Rights' Act* which is a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations.

"Service Animal" - An animal is considered a service animal for a person with a disability:

- a) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
- b) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

Examples of service animals include dogs used by people who are blind, hearing alert animals for people who are deaf, deafened or hard of hearing, and animals trained to alert an individual to an oncoming seizure and lead them to safety. Animals, other than dogs, may also be service animals.

"Support Person" - A support person is an individual hired or chosen by a person with a disability to provide services or assistance with communication, mobility, personal care, medical needs or with access to goods or services. Personal care needs may include, but are not limited to, physically transferring an individual from one location to another or assisting an individual with eating or using the washroom. Medical needs may include, but are not limited to, monitoring an individual's health or providing medical support by being available in the event of a seizure.

The support person could be a paid personal support worker, a volunteer, a friend or a family member. He or she does not necessarily need to have special training or qualifications.

"Premises" - Premises include the buildings, land or grounds where the Municipality provide goods or services. In accordance with the requirements of the standard, this procedure only applies to those areas of the premises where the public or third parties customarily have access. You do not have to let anyone with a service animal or support person into places or areas where the public does not have access.

3. Procedures:

Service Animals

If a person with a disability is accompanied by a guide dog or other service animal, the Municipality of Clarington shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her unless the animal is otherwise excluded by law from the premises.

Two examples of laws that specifically exclude animals are regulations under the *Health Protection and Promotion Act* and the *Food Safety and Quality Act, 2001*.

Ontario Regulation 562 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. It does make an exception for service animals to allow them to go where food is normally served, sold or offered for sale.

If a service animal is excluded by law from the premises, the Municipality of Clarington shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the municipality's goods or services. Staff must explain to the individual why the animal is excluded and see what other arrangements can be made to provide them with the Municipality's goods or services. If the person with the service animal agrees, this might mean leaving the animal in a secure area where it is permitted by law. It might also mean offering to serve the person in another location where the animal is permitted.

There may be rare circumstances where, for the reasons of health and safety of another person, allowing a person with a disability to enter a premises and be accompanied by their service animal needs to be considered. In the rare situation where another person's health and safety could be seriously impacted by the presence of a service animal on premises open to the public, ie, in a swimming pool or on an ice surface, the Municipality of Clarington will consider all options for allowing the service animal. In general, people with allergies to animals are affected if they touch the animal or are in very close proximity for a lengthy period of time. Some of the options to consider may be creating distance between two individuals, eliminating in-person contact, changing the time the two receive service, using air purifiers and any other measures that would allow the person to use their service animal on the premises. The Municipality of Clarington will consider all relevant factors and options in trying to find a solution that meets the needs of both individuals.

It is understood that a person who has a support animal will maintain control of the animal while on the premises and that the care of the animal is the responsibility of its owner.

Support Person

If a person with a disability is accompanied by a support person, the Municipality of Clarington shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to the support person while on the premises.

For Community Services programs and services, the Municipality of Clarington does not apply a user fee or admission to the support person. If an amount is payable by a person for admission in any other department or division, the Municipality of Clarington will ensure that notice about the amount, if any, payable in respect of the support person is given in advance. Wherever fees are calculated, support person fees will be considered.

Organizations who utilize Community Services Department facilities will be responsible for making their own decision on fees for support persons and notifying the public.

The Municipality of Clarington may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

Municipal staff will consider whether they will require the attendance of a support person in the following situations:

- a) When there is a significant risk to the health and safety of the person with a disability or others (the mere possibility of risk is insufficient);

- b) That risk is greater than the risk associated with other customers and that risk cannot be eliminated or reduced by other means;
- c) 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; and
- d) The assessment of the risk is based on the individual's actual characteristics, not merely on generalizations, misperceptions, ignorance or fears about a disability.

APPENDIX E TO POLICY H

FEEDBACK ON SERVICES

1. Purpose:

The Municipality of Clarington provides a method by which customers can provide feedback on services. The established process provides for the receiving and responding to feedback regarding the manner in which the municipality provides goods and services to all of its customers.

Under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, Ontario municipalities are required to comply with Accessibility Standards for Customer Service, Ontario Regulation 429/07 as of January 1, 2010.

2. Procedure:

The Municipality of Clarington values feedback and supports customers in providing a complaint, compliment or suggestion regarding our services. Feedback can be received using the following service channels: in person, by telephone, via e-mail, website, correspondence, and feedback forms.

1. In person, by phone, via e-mail and correspondence: Staff will receive all feedback and log it appropriately.
2. Website: Electronic feedback forms are available on the Municipality's website, www.clarington.net.
3. Feedback forms: Feedback drop boxes are available in all staffed facilities and will be checked on a daily basis. The feedback form is attached hereto as Attachment No. 1.

All feedback will be collected, analyzed and where applicable, responded to. Where a response is requested, an initial response will be provided within three (3) business days.

The feedback will be forwarded to the appropriate supervisor/manager for review and action. Any items identified that reflect an issue which impacts accessibility will be forwarded from the Department Head to the Municipal Clerk.

The feedback received which impacts accessibility will be reviewed and analyzed by the Customer Services staff committee on a quarterly basis and compiled into a report for submission to the Accessibility Advisory Committee and Municipal Council for information purposes each January.

3. Resolution:

When a complaint is received regarding the provision of goods and services to persons with disabilities, an initial response will be provided to the customer within three (3) business days. The initial response will include confirmation of the following:

- (a) the information has been received;
- (b) arrangements for it to be investigated have been made; and
- (c) if requested, the customer will receive relevant updates (the individual will be provided with a timeline for investigation and response).

Departmental staff involved are then responsible to ensure that:

- (a) the inspection has been conducted;
- (b) required action to address the issue and a timeline for completion is established if necessary; and
- (c) the customer has been advised of the actions to be taken (if any) and the anticipated timeline for completion.

4. Feedback Review

To ensure its effectiveness, the feedback procedure will be reviewed by the Customer Services staff committee on a quarterly basis and, if necessary, amended to enhance its responsiveness for our customers.

5. Publication

This procedure will be posted for public information on the Municipality's web site, www.clarington.net and information pertaining to it will be published in the Municipality's Recreation and Leisure Guide.

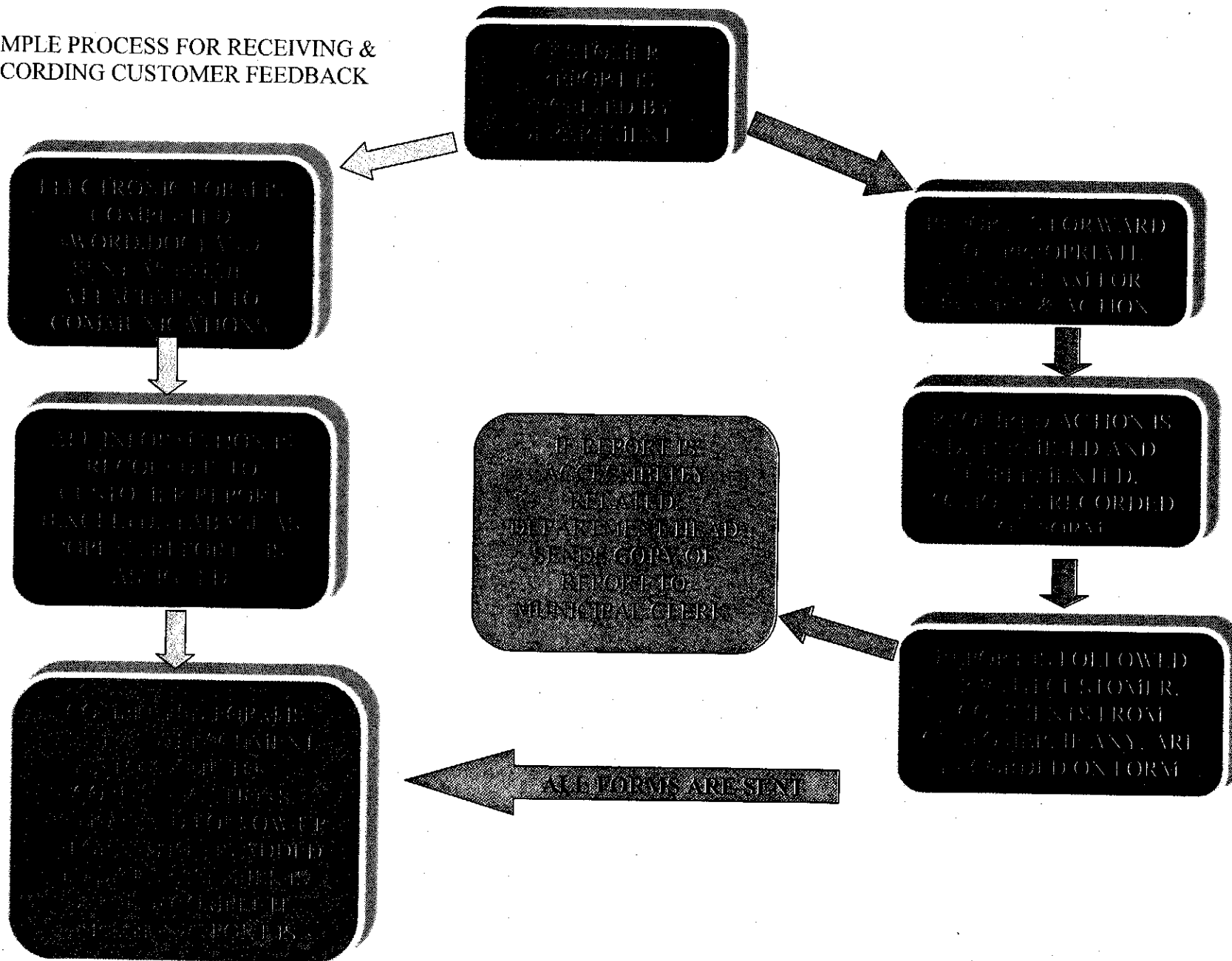
CUSTOMER SERVICE REPORT

CSR	2009- No	DATE:	<i>Click here to enter a date.</i>	
FIRST NAME:	First Name	LAST NAME:	Last Name	
Address:	Street/Mailing Address			
COMMUNITY:	COMMUNITY	PROV: ON	Postal Code:	PC
TELEPHONE:	Telephone with Area Code	EMAIL:	Email address	
CUSTOMER FEEDBACK				
DETAILS:	<i>Click here to enter text.</i>			
IS CONCERN ACCESSIBILITY RELATED?		<input type="checkbox"/> YES		
<input type="checkbox"/> NO				
LOCATION OF CONCERN:	<i>Click here to enter text.</i>			
<i>action taken</i>				
DATE RECEIVED:	<i>Click here to enter a date.</i>			
ACTION TAKEN:	<i>Click here to enter text.</i>			
<i>Customer follow up</i>				
DATE customer was contacted:		<i>Click here to enter a date.</i>		
<input type="checkbox"/> By Telephone		<input type="checkbox"/> By Email		<input type="checkbox"/> In Person
IS THIS AN ACCESSIBILITY REPORT:		<input type="checkbox"/> YES <input type="checkbox"/> NO		
Name of Employee Responding :	Enter your Name			
Department:	Department Name			
Signature:			Date: Select date.	

Personal Information contained on this form is collected pursuant to the *Accessibility for Ontarians with Disabilities Act* and will be used for the purpose of responding to your concern. Questions about this collection should be directed to the Municipal Clerk, 40 Temperance Street, Bowmanville, Ontario, L1C 3A6, Telephone 905-623-3379.

Clarington

SAMPLE PROCESS FOR RECEIVING & RECORDING CUSTOMER FEEDBACK



APPENDIX F TO POLICY H_

ASSISTIVE DEVICES

1. Purpose:

The Municipality of Clarington provides an opportunity for customers to utilize assistive devices in order to access the services of the municipality.

Under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, Ontario municipalities are required to comply with Accessibility Standards for Customer Service, Ontario Regulation 429/07 as of January 1, 2010.

2. Procedure:

Personal assistive devices may be used by certain persons with a disability. Examples of assistive devices may include, but are not limited to, a cane, walker, hearing aid, oxygen tanks, etc. In addition, the Municipality provides a number of assistive devices for the benefit of all persons using or accessing goods and services by the Municipality. These include elevators and lifts in most municipally-owned and operated buildings, an amplification system for the hard of hearing within the Council Chambers, accessible parking spaces in certain locations, water wheelchairs for entering/exiting pools, water ramp (at Courtyce Community Centre and Newcastle and District Recreation Complex) and a pool lift (at Clarington Fitness Centre).

The Municipality of Clarington shall ensure that persons with a disability are not barred from the use of their own personal assistive devices, or those which may be offered by the Municipality, while accessing goods and services offered in any facility owned and operated by the Municipality.