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**For Information**

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REPORT TITLE: **2021 Accessibility Compliance Report – Ministry for Seniors and Accessibility**

FROM: Gary Kent, CPA, CGA, ICD.D, Chief Financial Officer and Commissioner of Corporate Services

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**OBJECTIVE**

To inform the Accessibility Advisory Committee of the 2021 Accessibility Compliance Report to be filed with the Ministry for Seniors and Accessibility.

**REPORT HIGHLIGHTS**

- The Region of Peel must file an Accessibility Compliance Report with the Province which confirms that the Region is in compliance with the requirements under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).
  - The Region of Peel will be claiming compliance to all the questions posed in the questionnaire, except for question #14, which pertains to accessible website and web content.
  - A shift in focus, priorities and resources to address the continued COVID-19 pandemic response has delayed this work, however, progress is being made to make the Region of Peel website accessible and meet compliance.
  - Other municipalities in Ontario have manifested similar struggles and will be taking a similar approach and filing non-compliance.
  - The report must be submitted by December 31, 2021.
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**DISCUSSION**

**1. Background**

The *Accessibility for Ontarians with Disabilities Act, 2005* (AODA) came into effect on June 13, 2005. The purpose of the AODA was to develop, implement and enforce standards for accessibility related to goods, services, facilities, employment, accommodation and buildings with the goal of making Ontario fully accessible by 2025. The AODA applies to all public and private sector organizations. Since 2013, all public sector organizations must file an online accessibility report every two years. The report is to be filed with the Ministry for Seniors and Accessibility (the Ministry) and will indicate that the Region of Peel continues to comply with Ontario's accessibility law. Failure to complete the accessibility compliance report could result in enforcement, which could include financial penalties. The deadline for report submission is December 31, 2021. The last compliance report was filed by the Region of Peel in 2019.

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### 2. Preparing the 2021 Compliance Report

The report is filed through an online form which consists of a set of questions that confirm that the Region of Peel has met its current accessibility requirements under the AODA. Each reporting period, the number of questions vary. For 2021 the questionnaire contains 25 questions and are related to general requirements and the five accessibility standards of the *Integrated Accessibility Standards Regulation*. These questions require either a yes or no response and some contain a comments field for additional information, where applicable. Relevant regional program areas have been consulted for clarification and confirmation of compliance, where required. By answering 'Yes' to the questions posed, the Region of Peel is confirming requirements are met under the AODA. For 2021, the Region of Peel will be responding 'Yes' and confirming compliance to all the questions posed, except for one question (# 14), which pertains to accessible websites and web content, which we will be providing a 'No' response. The twenty-five questions and responses are attached as Appendix I.

### 3. Accessible Websites and Web Content

The Region of Peel will be filing non-compliance to the following question listed on the Province's questionnaire:

#### **Information and communications**

14. As of January 1, 2021, do all your organization's internet websites conform to World Wide Web Consortium Web Content Accessibility Guidelines 2.0 Level AA (except for live captions and pre-recorded audio descriptions)? Please indicate in the comment box provided the complete names and addresses of your publicly available web content, including websites, social media pages, and apps \*

Fields marked with an asterisk (\*) are mandatory.

On November 2020, the Region of Peel Accessibility Advisory Committee (the Committee) received a presentation by staff from Digital Marketing and Communications providing an update on the work undertaken to meet compliance requirements as they pertain to accessible websites and web content. Part of this work includes conformance to Web Content Accessibility Guidelines (WCAG), a set of standards developed for web content accessibility that meet the needs of persons with disabilities.

The Committee was advised that despite best efforts, a number of setbacks caused the work to shift in priority, including the urgent response to the pandemic and that the deadline of January 1, 2021 would not be met. A recommendation was made by the Committee to petition the Province for a deadline extension, for which no response was received.

The work to meet compliance continues. Time, effort and resources have been invested, however the dimension of work required to meet the WCAG requirements is extensive and include peelregion.ca as well as all Region of Peel owned digital platforms including additional websites, social media channels, applications and tools. The overall status of compliance is 64 per cent, with an estimate that all Departmental content on peelregion.ca will be compliant by December 31, 2022, with exception of Health Services. A compliance breakdown by department as follows:

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Corporate – 96 per cent  
Public Works – 75 per cent  
Human Services – 70 per cent  
Health Services – 15 per cent

The COVID-19 pandemic response continues to delay the modernization of Health Services on peelregion.ca. Despite challenges, a review of the Peel Regional Paramedic Services (PRPS) website was conducted in 2021 and is currently being redeveloped to meet compliance. Estimated launch date for phase one of this work is December 2021. Beyond PRPS, anticipated start date for Health Services is early 2022.

A list of Region of Peel websites and social media assets will be provided as part of our response to the Ministry contained in Appendix I.

Progress is being made to make Region of Peel website accessible, however, it must be pointed out that any claim to compliance is a snapshot in time and a minimum error such as uploading an inaccessible document to any of the websites or apps would lead to non-compliance. The Region of Peel is committed to increasing accessibility for persons with disabilities and is of the mindset that accessibility goes beyond adhering to the requirements of the standard. It involves a number of approaches that the Region is undertaking to ensure ongoing compliance and that accessibility is at the forefront, including improvements to the end-user experience, manual checks and testing, the introduction of a web accessibility policy, updates to our processes, ongoing training and education, to name a few.

In communication with other municipalities in Ontario, the Region of Peel is not the only one struggling to meet the compliance timelines. Municipalities are manifesting similar struggles as the work is very comprehensive given the large number of assets on different websites, social media pages, and applications. It seems likely a large percentage of municipalities in Ontario will also be filing non-compliance as it pertains to website accessibility.

### **RISK CONSIDERATIONS**

Not meeting the compliance timeline poses a legal and financial liability, as well as a reputational risk. This can include financial penalties, however, experience shared by municipalities that have filed non-compliance during previous reporting periods indicates that there are usually a number of checkpoints in the compliance framework that an organization would have to go through prior to actually receiving a penalty. It appears to be a system more concerned with education and eventual achievement of the standards. Notwithstanding, the Region of Peel is making great strides and the work to meet website accessibility is ongoing. The Region of Peel will work with the Provincial government to ensure we meet compliance in a timely manner.

### **CONCLUSION**

The Region of Peel is committed to removing barriers and increasing accessibility for persons with disabilities by ensuring that our websites and web assets are accessible. It continues its efforts to comply and meet the legislated requirements. While accessibility is based on a 100 per cent accessibility rating, this can change at any given point in time. The Region of Peel is undertaking additional approaches to ensure that our digital assets are accessible and that the needs of the community are being met.

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### **APPENDICES**

#### Appendix I – 2021 Accessibility Compliance Report Questions

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