



Summary of Guidance on the Accessible Canada Regulations

**Consulting Persons with
Disabilities**

July 2022



Summary of Guidance on the Accessible Canada Regulations: Consulting persons with disabilities

Large print, Braille, MP3 [audio], e-text and DAISY formats are available on demand by [ordering online](#) or calling 1 800 O-Canada [1-800-622-6232].

If you use a teletypewriter [TTY], call 1-800-926-9105.

© Her Majesty the Queen in Right of Canada, 2022

For information regarding reproduction rights:

droitdauteur.copyright@HRSDC-RHDCC.gc.ca.

PDF

Cat. No. : Em4-31/1-2022E-PDF

ISBN: 978-0-660-44483-3






Table of Contents

| | |
|--|-----------|
| Table of Contents | 3 |
| Introduction | 4 |
| What the ACA and its regulations say about consultation | 4 |
| Important concepts | 4 |
| Different disabilities..... | 4 |
| Respecting privacy and confidentiality..... | 5 |
| Setting objectives for your consultation | 6 |
| Consulting for accessibility plans and progress reports | 6 |
| Consulting on areas in section 5 of the ACA..... | 6 |
| Choosing how you will consult | 7 |
| Consulting persons with disabilities | 7 |
| Inviting participants..... | 7 |
| Types of consultation..... | 8 |
| Consulting in person..... | 8 |
| Consulting online..... | 9 |
| Making information accessible..... | 9 |
| After you consult | 10 |
| Evaluating the consultation process..... | 11 |





Introduction

The [Accessible Canada Act](#) (ACA) and the [Accessible Canada Regulations](#) (regulations) create rules to make Canada barrier-free by 2040. The ACA defines a barrier as anything that prevents persons with disabilities from fully and equally participating in society.

One of the rules is that organizations under federal responsibility must publish accessibility plans and progress reports. They must consult persons with disabilities when they prepare those plans and progress reports, and describe how that consultation happened.

The guidance on consulting persons with disabilities will help you organize and run accessible consultations with persons with disabilities. It offers tips on handling information you collect during your consultations and integrating it into your plans and progress reports. It will also help you describe your consultation process in those plans and progress reports.

Important notes:

This is a summary of the guidance. [Read the complete version of this guidance here](#). The guidance and this summary are not legal documents. They are only meant to help you follow the law.

We use the words “must” and “required” to describe things you have to do to follow the law. We use words like “recommended,” “should,” “suggested,” and “could” for things that we recommend you do, but that are not necessary.

What the ACA and its regulations say about consultation

The ACA says that you must consult persons with disabilities when you prepare your accessibility plans and progress reports. Your plans and progress reports must also explain how you did this. The regulations say that you must put that description under the [“Consultations” heading](#) in your plans and progress reports.

Important concepts

Different disabilities

People experience their disabilities in different ways and encounter different kinds of barriers. What is accessible for one person may not be accessible for everyone.



While not a complete list, the [2017 Canadian Survey on Disability](#) identified ten different categories of disability:

- seeing, or vision
- hearing
- mobility
- flexibility
- dexterity
- pain-related
- learning
- developmental
- mental health-related
- memory

People can have more than one disability. For example, a person with a mobility disability can also have learning and hearing disabilities. Having multiple disabilities can affect someone's ability to participate in consultations, as can their age, neighbourhood, gender, and so on. If you are not sure how to address or include someone, the best thing you can do is ask.

Respecting privacy and confidentiality

Participants may say or write things during your consultations that they would not want you to quote or share publicly.

This might include personal information such as their identity, disability, medical history, or experiences facing barriers or discrimination. They may be uncomfortable sharing their feedback and views at work or in front of friends and family. They might also worry about how people could react to these comments or to learning the participant has a disability.

Remember, you should:

- let participants choose to contribute comments anonymously
- reassure participants that you will respect their privacy
- offer participants the chance to review any record you keep of their comments
- follow all relevant laws in your jurisdiction when handling private and personal information

Setting objectives for your consultation

Consulting for accessibility plans and progress reports

You must consult persons with disabilities when you prepare your accessibility plans and progress reports. One way to do this is to consult persons with disabilities on a variety of barriers and other issues first. You could then write your plan or progress report based on what participants tell you.

Another way is to write your plan or report and then consult persons with disabilities on how to improve it. If you do, you could ask whether or not your plan:

- sets realistic, achievable goals
- is simple, clear and concise
- needs to add or remove anything

For progress reports, you could ask whether or not they think your organization:


- has made progress putting your accessibility plan into action
- has left out any successes or failures that you should include in your progress report
- could do more to identify, remove, and prevent barriers

Keep in mind that these are just a few ways of doing consultation. Each organization will have to decide for themselves which way works best for them.

Consulting on areas in section 5 of the ACA

The *Accessible Canada Act* aims to achieve a Canada without barriers on or before January 1st, 2040. To help do this, organizations should identify, remove, and prevent barriers in the areas from [section 5 of the ACA](#). These areas are:

- employment
- the built environment
- information and communication technologies (ICT)
- communication, other than ICT
- the procurement of goods, services and facilities
- the design and delivery of programs and services
- transportation



Some accessibility barriers may fit into more than one of these areas. For example, an inaccessible job advertisement might fit into both employment and ICT.

Choosing how you will consult

Consulting persons with disabilities

Before you begin your consultations, we recommend that you find out:

- what barriers persons with disabilities may face when using your services, working for you, or participating in your consultation
- how accessible your organization's physical and digital spaces are
- how to get in touch with disability organizations that could give you accessibility advice or suggest people you could consult
- if there are public, disability-related community events that you could attend

Remember: the people you approach face significant demands on their time and resources. Many organizations and individuals may share their expertise as a professional service. You may need to use contracts or other mechanisms to ensure they can participate.

Above all, remember that all participants are sharing their time, expertise, and lived experience with you. It is important to find ways to recognize the value of what they share.


Inviting participants

Timing is very important when you invite persons with disabilities to your consultations. Send invitations early so invitees can review your materials, make travel plans, and request accommodations like interpretation and alternate formats.

If you have specific individuals in mind, you could invite them directly and personally. You could also invite people through a general public notice. Such a notice might include:

- advertising in local newspapers and on radio or television stations
- advertising or engaging on social media
- asking disability groups to share invitations with their members
- displaying posters, pamphlets, or other material where potential participants are likely to find them

You should invite persons with disabilities who bring a variety of perspectives to your consultation. This could include persons with disabilities who are your clients, your employees, members of the public, or experts on accessibility.



In all cases, your invitation should explain why and how you are consulting. It could also explain how you will choose participants and when and where consultations are taking place.

Types of consultation

There are different ways to consult persons with disabilities, and the ACA and its regulations do not require you to take a specific approach.

You should decide:

- your consultation format
- the questions you will ask
- the number of participants and the range of perspectives they offer on disability

As you plan, you should consider some or all of the following:


- which persons with disabilities are the most involved with your organization
- whether your organization has an accessible meeting space for in-person consultations, or whether you would need to book one
- what kinds of consultations your potential participants might prefer
- what budget and resources you have for your consultations

Remember: you can use more than one consultation format. In fact, you may want to use multiple formats in order to hear from people with a variety of disabilities. This can also help you better meet participants' language, interpretation, and scheduling needs.

Consulting in person

Some participants prefer in-person events over virtual events or online submissions. In-person events can require more resources and planning than other kinds of events. If you want to consult in person, you should:

- include the right number of interpreters, a Communication Access Realtime Translation (CART) writer, and other support staff
 - remember to book interpreters and others far in advance (ideally 4 to 8 weeks), as they will be in demand
- schedule enough time for all events, with breaks, and consider repeating events at different times in the morning and afternoon
- provide a comfortable, spacious, and accessible venue for your event
- remember that some participants may bring service dogs, attendants or personal support workers



All in-person events should have an accessible emergency response plan. You should develop this plan with the venue manager and with persons with disabilities. You could also hire a medic or include staff who have training in first aid.

Consulting online

Consulting online could involve live virtual events, like video conferences or webinars. These events might take place using programs like Zoom, WebEx, or Microsoft Teams. If you consult in this way, remember:

- you should establish a code of conduct for participants and moderators
- you should book interpreters and CART writers just as you would for an in-person event
- some video conference program features (like chat windows, screen-sharing, or the “raise hand” tool) may not be accessible to everyone

Consulting online could also involve discussion forums, questionnaires, or recordings that allow participants to contribute at their own pace.

No matter which online consultation you choose, remember that digital tools like discussion boards can pose barriers for some people. You should always provide information through multiple means to allow people to choose how they will participate.

You should also remember that participants may share their sensitive personal, medical, or professional details with you. They may also share stories about their lives and experiences. It is important to keep this information safe.


When you consult online, you should:

- establish a single, secure email address for contributions and questions
- require participants to register for your consultation and any platforms it uses, always providing support to people who face barriers
- store login, password, and other personal information securely
- ensure that any third-party service or platform you use is reputable and secure, and that its security certificates are up to date

Making information accessible

No matter how you consult, you should make sure the information you provide to your participants is accessible. This may include agendas, summaries, surveys, questionnaires, slides, or other documents. It may also include any web pages where you host this information.

Remember: the digital versions of your accessibility plans and progress reports must meet certain requirements in the Web Content Accessibility Guidelines (WCAG). Specifically, they



must meet all Level A and Level AA requirements in the most recent WCAG available in French and English, which is [WCAG 2.0](#). We recommend that any consultation web pages meet these requirements too.

You can also make some electronic and print documents more accessible using only your word processing program. Your documents should include:

- properly formatted headings
- large, clear font sizes and styles
- alternative-text (alt-text) to describe images
- appropriate colour and contrast for text and backgrounds

These documents may still not accommodate all of your participants' needs. Some participants may ask for alternate formats, such as audio, braille, or recordings of sign language interpretation. You should consider how to provide information in these formats when feasible.

After you consult

Your consultation will give you a lot of information, and there are many ways to process that information. We recommend that you start by labeling and sorting all participant input and organizer notes. You can do this in a folder, spreadsheet, or other document.

You could sort your information by:

- the types of barriers it addresses
- the areas in [section 5 of the ACA](#)
- the types of disability it involves
- the length and depth of the response


Labeling and sorting information can help you later when you describe your consultations in your accessibility plans and progress reports.

For example:

- “35 out of 40 participants said the removal of attitudinal barriers was as important as the removal of physical barriers”
- “participants with learning and developmental disabilities were three times more likely to say that our website needs significant accessibility improvements”

You should thank participants for their time and contributions. You may wish to continue communication even after the consultation is over. This will allow you to send participants:

- updates on how you are implementing your accessibility plans

- 
- invitations to future events
 - notices about any changes to your plans, progress reports, or feedback process

Evaluating the consultation process

We recommend that you evaluate your consultation process to find out which parts succeeded and which parts need improvement. You should try to find out whether:

- the consultation involved as many participants as you had hoped
- it involved diverse experiences and perspectives
- the input you received was helpful, detailed, and constructive
- the venues or platform you used worked

You should ask participants these kinds of questions about your consultation too. Their answers can help you plan future consultations.