Canada

Guidance on the Accessible Canada Regulations

Progress Reports

March 2023

Guidance on the *Accessible Canada Regulations*: Progress reports

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Introduction

Overview

This guidance document is **not** itself legally binding. It does describe progress report requirements that **are** legally binding under the *Accessible Canada Act* (ACA) and its regulations. The descriptions of these requirements use the words "must" and "required."

The guidance also contains many recommendations and tips. These may help organizations ensure their progress reports are clear, useful, and accessible. Recommendations use the words "recommended," "should," "may," "suggested," and "could."

The ACA requires federally regulated entities (organizations) to publish progress reports on the implementation of their accessibility plans. Your progress in implementing your accessibility plans will likely reflect your policies, programs, practices and services in relation to identifying, removing, and preventing barriers.

The ACA sets the **minimum requirements** for progress reports.

The ACA says that organizations must:

- prepare and publish progress reports on the implementation of their accessibility plan
- consult persons with disabilities in preparing progress reports
- notify the Accessibility Commissioner whenever they publish a progress report
- provide information in their progress reports about how they consulted persons with disabilities and the feedback they receive through their feedback process
- describe in their progress reports how they took that feedback into consideration
- make copies of their progress reports available in certain formats upon request

The *Accessible Canada Regulations* (regulations) set the rules for **preparing and publishing** progress reports. Their sections on progress reports describe:

- when, how, and where an organization must publish a progress report
- how an organization should approach writing and publishing its progress reports, including:
  - using simple, clear, and concise language
  - conforming with level AA of the Web Content Accessibility Guidelines (WCAG)

- what headings a progress report must contain
- what information must go under those headings
- the formats in which the organization must make a progress report available to people on request
- the deadlines for providing reports in those formats

The regulations also specify:

- which organizations may not have to prepare and publish a progress report

- how long an organization must keep copies of each progress report it publishes

Note: Some federally regulated organizations come under different accessibility planning and reporting regulations. These regulations include:

- the *Canadian Radio-television and Telecommunications Commission Accessibility Reporting Regulations* and
- the *Accessible Transportation Planning and Reporting Regulations*

These differences may affect what those organizations must include in their progress reports. They may also affect when those organizations must publish them, and who they must notify.

Read the section on notifying different regulatory and enforcement authorities for more information, and make sure that your organization meets the specific requirements of the accessibility planning and reporting regulations that apply to you.

Recommended first steps

Choosing who prepares the report

The ACA and its regulations require your organization to prepare and publish accessibility plans. They also require your organization to prepare and publish progress reports about the implementation of these plans. We suggest you start planning your progress reports by choosing who will be responsible for preparing them.

Preparing and implementing your accessibility plan will likely involve a number of people (including experts in the different areas set out in section 5 of the ACA, if required). If possible, we recommend making the same individuals and experts involved in drafting your accessibility plan, responsible for preparing your progress reports.

There are many advantages to choosing the same people:

- they will be familiar with the accessibility plan, its goals, and how they relate to what your organization does
- they will better understand the organization's realities, logistical or others, behind the plan
- they will be able to describe the role feedback has played in implementing and updating the accessibility plan

Regardless of whom you choose, they should know your organization well and be able to contact those with decision-making authority, as need be.

Tracking and measuring your progress

To prepare a progress report, you need to know what progress your organization has made in implementing its accessibility plan. To do this, you need a meaningful way to track and measure progress.

A good progress report is based on a good accessibility plan. The guidance on accessibility plans recommends including specific goals, actions, and timelines. A plan with clear goals, actions, and timelines makes measuring progress easier and more accurate.

A good progress report will also benefit from a clear approach to tracking your progress along the way. Your organization should keep records of measures it implements, milestones it passes, or barriers it removes. It can be helpful to use project management software or applications to keep track.

Organizations have different kinds of operations and different resources. When tracking progress, organizations should choose an approach that works best for them. The approach should support their efforts to identify, remove, and prevent accessibility barriers.

Here are some things you may wish to consider in planning your progress report. You should also consider these when planning your consultation with persons with disabilities:

- how accessible your organization is in the areas set out in section 5 of the ACA, and how this has changed since your most recent accessibility plan, including any data you have to confirm these changes
- your organization's shorter- and longer-term plans for improving accessibility further
- whether your organization, in implementing its accessibility plan, has:

  o met specific goals
  o completed concrete actions
  o kept within any timelines set in the plan

- whether you have identified, removed, or prevented new barriers that you had not addressed in the most recent accessibility plan
- which achievements in improving accessibility are most notable
- which remaining obstacles to improving accessibility are most significant
- whether any other measures are helping improve accessibility since your most recent accessibility plan or progress report
- how you took what you heard during consultations with persons with disabilities into consideration

Remember: You must consult persons with disabilities in preparing your progress report. These consultations will help you produce a comprehensive, accurate, and meaningful account of your organization's progress.

Consulting persons with disabilities

You must consult persons with disabilities in preparing your accessibility plans. You must also consult persons with disabilities in preparing your progress reports. There are different stages of preparation at which you could conduct this consultation. For more information on when you could conduct consultations, read our guidance on consulting for progress reports. We recommend consulting well before you publish your progress report. This will allow for a more meaningful consultation with persons with disabilities and provide flexibility for persons who may require additional time to review the progress report and submit feedback.

The ACA and its regulations do not require a specific way to conduct these consultations. This recognizes that different organizations may have different resources, needs, and clients.

Read the guidance on consulting persons with disabilities. It has recommendations for:

- planning accessible in-person, virtual, or hybrid consultations
- developing questions to ask consultation participants
- understanding different types of disabilities, barriers, and accommodations
- considering intersectional and cultural factors in planning your consultations
- using inclusive and respectful language

Continuity between consultations

If possible, include people you consulted for your accessibility plan in your progress report consultations. People who helped develop your plan can offer special insight into its implementation. This connection can also help show your commitment to meaningful, ongoing change.

Consultation approaches

You will want to seek input on progress in implementing your accessibility plan. Some participants in the consultations may point to improvements. Some may identify accessibility barriers you could consider addressing in your next accessibility plan.

The planning and reporting cycle covers a considerable period. There may be times when you see a need to revise or adapt your consultation approach. For example, you may wish to consult with more (or fewer) people. You may want to change how you consult (virtually, in-person or both).

Preparing your progress reports

Introduction

The regulations require you to include certain mandatory headings in your progress reports:

1. "General"

2. headings for the areas in [section 5 of the ACA](#)
3. "Consultations"
4. "Feedback"

This section explains what you must include under each of these headings. It also suggests other things you could do to go beyond the regulatory requirements.

Required heading: "General"

What the regulations require for the "General" heading

Like in your accessibility plans, the "General" heading in your progress reports must include:

- the position title of the person you designate to receive feedback on your organization's behalf
- information about how people can communicate with your organization

  - this information must include at least:

    - the mailing address of your organization's publicly accessible businesses
    - a telephone number
    - an email address
    - information on any other means your organization uses to communicate with the public (such as, potentially, a social media account or website)

  - this information must also allow people to:

    - request copies of your accessibility plans, progress reports, and feedback process descriptions in certain alternate formats
    - submit feedback about barriers they have encountered when dealing with your organization
    - submit feedback on your organization's implementation of its accessibility plan

Additional information we recommend you include under the "General" heading

You could include some or all of the following under the "General" heading:

- a summary or overview of the progress report
- the position title and contact information for the person you have designated to receive feedback
- the position titles and contact information for others who have a role in accessibility
- any changes in how people can communicate with your organization, submit feedback, or request alternate formats of plans, reports, and descriptions

Required headings: areas in section 5 of the ACA

What the regulations require for headings reflecting the areas in section 5 of the ACA

[Section 5 of the ACA](#) identifies the following areas:

a) employment
b) the built environment
c) information and communication technologies (ICT)
c.1) communication, other than ICT
d) the procurement of goods, services and facilities
e) the design and delivery of programs and services
f) transportation

Future regulations may designate additional areas.

Your accessibility plans must reflect your organization's policies, programs, practices and services in relation to identifying and removing barriers, and preventing new barriers in these areas. Your progress report describes your progress in doing so.

Remember: Some organizations may also be required to prepare accessibility plans and progress reports that fall under additional regulations under the ACA, developed by either the Canadian Radio-television and Telecommunications Commission (CRTC) or the Canadian Transportation Agency (CTA). The required headings for progress reports (dealing with areas under section 5 of the ACA) should follow headings for accessibility plans required by specific regulations. For more information on this topic, consult the [Required headings: Areas described under section 5 of the ACA](#) section of the [guidance on accessibility plans](#).

Read the [section on different regulatory and enforcement authorities](#) for more information.

Additional information we recommend you include under the headings reflecting the areas in section 5 of the ACA

Organizations will likely have different barriers to identify, remove, and prevent in the areas identified in the ACA. This gives organizations some options for what they include under each area heading. Your progress report could include some or all of the following under each heading:

- progress in removing or preventing barriers identified in your accessibility plan
- updates to timelines for specific actions or goals in your accessibility plan

  o you may choose to emphasize any actions that you expect to complete before you publish your next progress report or updated accessibility plan

- any new barriers you have identified since you last published your accessibility plan
- any long-term plans or activities that may continue beyond the current planning and reporting cycle

Required heading: "Consultations"

What the regulations require for the "Consultations" heading

The ACA requires you to consult persons with disabilities in preparing your progress reports. Your progress reports must describe how you did so. You must include this description under the "Consultations" heading.

- Read the [section on preparing the "Consultations" heading in your accessibility plans](#)
- Read the [full guidance on consulting persons with disabilities](#)

Additional recommendations for the "Consultations" heading

How you describe your consultations will depend on many factors. These include the type of consultations you conducted and what you learned in the process.

We recommend including information that best supports your organization's efforts to identify, remove, and prevent barriers. This could include information about some or all of the following:

- whom you consulted

  - the names of disability organizations or experts who participated

    - be sure to protect the privacy of any other participating individuals
    - do not include their names or personal details without their permission

  - the number of participants and the range of disabilities represented

- how you consulted and what you asked

  - a description of the consultation format(s) you chose (such as in-person, virtual, or hybrid) and the activities or events they involved
  - an explanation of why you chose your format(s) and what you did to remove barriers for participants
  - a list of the questions you asked

- when and where you consulted

  - a schedule of the dates or period of time over which the consultation took place
  - a list of the communities, regions, or other locations where you held your consultations (if applicable)

- what results you obtained

  - a summary of comments participants gave in answer to your questions
  - a tentative assessment of how you took the consultations into consideration and how you could act on what you learned, especially when preparing your updated accessibility plan

Required heading: "Feedback"

What the regulations require for the "Feedback" heading

Unlike your accessibility plans, your progress reports must include a "Feedback" heading. Under this heading, you must provide information about:

- feedback your organization has received on:

    o how your organization is implementing its accessibility plan
    o barriers persons who deal with your organization have encountered

- how your organization has taken this feedback into consideration

Read the guidance on descriptions of feedback processes for recommendations and tips on receiving feedback and taking it into consideration.

Additional information we recommend you include under the "Feedback" heading

We recommend including the information that best supports your organization's efforts to identify and remove barriers, and prevent new barriers. This information could be about both positive and negative feedback, or about both anonymous and attributed feedback.

Other information you might provide under your "Feedback" heading includes:

- feedback statistics

    o the amount of feedback you have received over the past year, or during the period that the report covers

        ▪ some organizations may not be able to cover the entire year in their first progress report, considering the time required to get the report approved, translated and published
        ▪ these organizations may choose to cover the left-over period for the year in their subsequent progress report
        ▪ for their first progress report, organizations may want to consider adding content relating to work on removing barriers that occurred prior to the past year, if applicable

    o a breakdown of feedback by topic, such as

        ▪ by barriers
        ▪ by areas in section 5 of the ACA
        ▪ by specific items in your accessibility plan, and how you are implementing your plan

    o a breakdown of the ways people submitted feedback

- feedback gaps

    o any aspects of your accessibility plan on which no one has yet submitted feedback

- various other information that may be relevant

- o   comments on the accessibility of your feedback process
- o   any changes you plan to make to your feedback process or to the means by which you communicate with the public

Going beyond required headings

The regulations specify the headings you must include in your progress reports. You may include other information that is not required. This is information that may be useful to clients, employees, members of the public and others.

This can help when some of your organization's accessibility priorities may not fit neatly under one of the existing headings.

What you have learned

This section could provide more detail on what your organization has learned while creating, implementing or updating its accessibility plan.

This could include some or all of the following:

- improvements that were the most urgent and challenging
- plans or improvements that did not work out as intended (for better or for worse)
- discovery of new or unexpected barriers to remove or prevent
- plans or improvements that ended up creating new barriers
- logistical, personnel, and budgeting realities related to implementing the plan

Training

This section could provide updates on any training you have offered your employees on topics relating to accessibility or disability. It could include details on:

- specific training or courses
- the number of employees who have completed them
- how this training has affected the way your organization works
- any effects it has had on implementing your accessibility plan

Glossary

You must write your progress reports in language that is simple, clear, and concise. This can be difficult when you have to use terms and ideas that may not be familiar to all readers. Including a glossary can help. Your glossary could provide definitions of:

- technical or professional terms that you must use in describing your operations
- disability or accessibility terms, including those found in the ACA and its regulations
- terms relating to the planning and reporting requirements in the regulations

Publishing and handling your progress reports

Introduction

The [regulations](#) say when, where, and how you must publish your organization's progress reports. They also set rules for how you must handle and retain copies of those reports.

Exemptions

Remember: Not all organizations to which the ACA and its regulations apply need to publish progress reports. The regulations set out the details of these exemptions.

- [Exemptions for organizations described in paragraph 7(1)(e) or (f) of the ACA that have an average of fewer than 10 employees](#)

  - Read [subsections 1(2) and 1(3) of the regulations](#) to learn how to calculate your average number of employees
  - You can also consult the [accessibility web pages of the CHRC's website](#) for examples of these calculations

- [Exemptions for First Nations Band Councils, applying for a period of 5 years from the day (December 13, 2021) that the regulations came into force](#)

Publishing progress reports: timelines and notifications

The [regulations](#) set the following planning and reporting cycle for federally regulated organizations:

- year 1: publish an accessibility plan and a feedback process description
- year 2: publish a progress report on the implementation of the accessibility plan
- year 3: publish a second progress report
- year 4: publish an updated accessibility plan
- year 5: publish a progress report on the implementation of the updated accessibility plan; continue the cycle as before

The deadline for publishing a first accessibility plan is not the same for all organizations. The deadline for publishing progress reports is based on the deadline for the accessibility plan.

Note: these deadlines may differ for organizations to which the *Canadian Radio-television and Telecommunications Commission Accessibility Reporting Regulations* and the *Accessible Transportation Planning and Reporting Regulations* apply. Check these regulations for progress report deadlines for different classes of organizations.

Organizations must publish progress reports by the anniversary of the deadline for publishing their most recent accessibility plan. Different types and sizes of organizations have different deadlines:

- federal government organizations (including departments, agencies, Crown corporations and government-related organizations such as the Canadian Forces or Parliamentary organizations)

  - publish first accessibility plan by **December 31, 2022**
  - publish first progress report by **December 31, 2023**

- private sector organizations with an average of 100 or more employees

  - publish first accessibility plan by **June 1, 2023**
  - publish first progress report by **June 1, 2024**

- private sector organizations with an average of between 10 and 99 employees

  - publish first accessibility plan by **June 1, 2024**
  - publish first progress report by **June 1, 2025**

Read the [section on publishing accessibility plans](#) to learn more about these deadlines.

Remember: as with accessibility plans and feedback process descriptions, **you must notify the Accessibility Commissioner within 48 hours after publishing a progress report**. You must send this notification by email or other electronic means. The notice must include either:

- the URL address of the progress report
- a hyperlink to the progress report, or
- the mailing addresses of the places of business at which you are displaying a print copy of the progress report

Your organization may also have to notify the Canadian Radio-television and Telecommunications Commission (CRTC) or the Canadian Transportation Agency (CTA). Read the [section on different regulatory and enforcement authorities](#) for details about these responsibilities.

Publishing progress reports: locations

You must publish your progress report on the main digital platform that you own, operate, or control. This platform must be one that you use to communicate with the public, such as your organization's website or digital portal. The progress report must be accessible either directly on the home screen or homepage, or by a hyperlink from that home screen or homepage.

If you do not have such a digital platform, you must still publish progress reports. You must display printed copies of the reports in the reception area or entrances of each of your places of business. These locations must be clearly visible and accessible to the public.

Publishing progress reports: format and contents

The regulations do not say how long your progress reports must be. The reports are to show your progress in implementing your accessibility plan. This is especially true for the concrete actions you set out in that plan. Read the [section on what you must include](#) under each of the progress report's required headings.

If you publish your progress reports online, they must meet the requirements for Level AA conformance in the most recent WCAG officially available in French and English (currently [WCAG 2.1](#)).

Here are some additional suggestions for making your progress reports accessible:

- use properly formatted and nested headings from your word processing program's style sheet (Heading 1, Heading 2, and so on)
- use size 12 or 14 sans serif fonts

  o serifs are decorative features, like hooks or tails, that some fonts include in letters
  o popular sans serif fonts include Arial, Calibri, and Helvetica

- use strong colour contrast; black text on a white background is best
- use images, tables, and other visual elements only when necessary

  o ensure all images and tables have captions or alternative text ("alt text") describing their purpose and contents

Read more on [creating accessible documents](#) for more recommendations and tips. You can also consult the Government of Canada's [Digital Accessibility Toolkit](#) and the [Canada.ca Content Style Guide](#) for more tips.

Simple, clear, and concise language

The regulations require that you write your progress reports in language that is simple, clear, and concise.

Using such language will ensure that your report is easy to read and understand. Your sentences should be short, and you should avoid technical words. Someone who knows nothing about your organization or its work should be able to understand the plan's contents.

Read the [guidance on simple, clear, and concise language](#) for more recommendations and tips.

Publishing progress reports: handling and retention

You must make copies of your progress reports available in the following formats upon request:

- print

- large print
- braille
- audio format
- an electronic format compatible with adaptive technology intended to assist persons with disabilities

Read the guidance on alternate formats for more recommendations and tips about making alternate formats available.

Organizations must make progress reports available in these formats according to the deadlines in the regulations. While **all regulated organizations must make these formats available as soon as feasible, but within the applicable deadlines set in the regulations**, the deadlines depend on the type of format and organization.

- For print, large print, and electronic formats:

  - federal government organizations, including departments, agencies, Crown corporations, or government-related organizations such as the Canadian Forces or Parliamentary organizations: **within 15 days** of a request
  - private sector organizations with an average of 100 or more employees: **within 15 days** of a request
  - private sector organizations with an average of 99 or fewer employees: **within 20 days** of a request

- For braille or audio formats:

  - all organizations: **within 45 days** of a request

Read subsections 1(2) and 1(3) of the regulations to learn how to calculate your average number of employees. You can also consult the accessibility web pages of the CHRC's website for examples of these calculations.

Retaining copies of progress reports

Once you publish a progress report, you must retain a copy of it that is accessible to the public. How and where you retain this copy will depend on how and where you published the progress report.

- If it was published on your main digital platform, retain a digital copy on that platform
- If it was displayed in the reception or entrance area of your place(s) of business, retain a print or electronic copy at each place

You must retain a copy of each progress report for at least 7 years from the day by which you had to publish it. This applies equally to digital, print, and electronic copies.

Notifying regulatory and enforcement authorities

Under the ACA, all organizations must notify the Accessibility Commissioner within 48 hours after they publish a progress report.

Some organizations may fall under additional regulations made by the Canadian Radio-television and Telecommunications Commission (CRTC) or the Canadian Transportation Agency (CTA). This means that some organizations may also have to notify the CRTC or the CTA when they publish a progress report. They may also have different deadlines by which they must do so.

- For organizations that must notify both the Accessibility Commissioner and the CRTC:

  - organizations that carry on broadcasting undertakings: read sections 42 to 50 of the ACA
  - organizations that are Canadian carriers or telecommunications service providers: read sections 51 to 59 of the ACA
  - read the *Canadian Radio-television and Telecommunications Commission Accessibility Reporting Regulations*
  - read the *Accessible Canada Regulations*

- For organizations that must notify both the Accessibility Commissioner and the CTA:

  - organizations that are part of the federal transportation network: read sections 60 to 68 of the ACA
  - read the *Accessible Transportation Planning and Reporting Regulations*
  - read the *Accessible Canada Regulations*

- For all other organizations, that must notify only the Accessibility Commissioner:

  - read sections 69 to 72 of the ACA
  - read the *Accessible Canada Regulations*

Note: Organizations notifying both the Accessibility Commissioner and either the CRTC or the CTA do not have to prepare and publish a separate report for each. They may wish to prepare and publish a single report that meets the requirements set by all authorities. The benefits of publishing a single progress report include:

- consuming less time and resources to prepare and publish progress reports
- ensuring consistency in the way different parts of the organization measure progress, regardless of which authorities they must notify
- ensuring consistency in how all parts of the organization identify, remove, and prevent barriers
- making it easier for employees, clients, persons with disabilities at large, and others to find and read the organization's progress report