

PERSONNEL REGULATION # 36**ACCESSIBILITY STANDARDS FOR CUSTOMER SERVICE***Adopted May 19, 2011***36.1 Use of Support Person by the General Public****36.1.1 Background and Expectations**

The Ausable Bayfield Conservation Authority makes all reasonable efforts to ensure that all practices and procedures with the core principles of independence, dignity, integration and equality of opportunity for all, with particular attention to persons with disabilities. The Authority will welcome all members of the watershed and broader community to our facilities by committing our staff and volunteers to providing services that respect the independence and dignity of people with disabilities. Such services incorporate measures that include but are not limited to the use of support persons.

To ensure greater awareness and responsiveness to the needs of a person with disabilities, the Ausable Bayfield Conservation Authority provides appropriate training for staff who deal with the public or other third parties on behalf of the Authority. This training is provided to all staff and when appropriate, to volunteers. Training is also a component of the orientation of new staff within a reasonable timeframe as they are hired.

All administrative procedures, and particularly those related to the Accessibility for *Ontarians with Disabilities Act, 2005*, are available to the public and in a format that takes into account a person's disability.

36.1.2 Definition/Explanation of Support Person:

A support person is a person who assists or interprets for a person with a disability who accesses the services of the Authority. A support person is distinct from an employee who provides support services to a student or staff person in the system – separate and specific procedures apply.

Additional Information:

A support person is an individual 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 professional, a volunteer, a friend or a family member. He or she does not necessarily need to have special training or qualifications.

36.1.3 Responsibility

- 36.1.3.1 Supervisory Officers and Departmental Managers will ensure that staff are trained in interacting with people with disabilities who are accessing Authority services accompanied by a support person.

36.1.4 Access to Authority Premise

- 36.1.4.1 Any person with a disability who is accompanied by a support person will be welcomed on Authority premises with his or her support person. Access will be in accordance with normal security procedures.
- 36.1.4.2 This requirement applies only to those areas of the premises where the public or third parties have access and does not include places or areas of the premises where the public does not have access.

36.1.5 Confidentiality

- 36.1.5.1 Where a support person is accompanying a person with a disability and where the disabled person is under the age of 18, and the support person is the parent/guardian of the disabled person, for the purpose of assisting in a discussion that may involve confidential information concerning the disabled person, the Authority staff member must first secure the consent of the parent/guardian regarding such disclosure.
- 36.1.5.2 Consent to the disclosure of confidential information in the presence of the support person must be given in writing by the parent or guardian. Where the disability of the parent/guardian prevents them from providing consent in writing, verbal consent is acceptable and should be noted on the consent form.
- 36.1.5.3 The support person must also provide assurance in writing to safeguard the confidentiality of information disclosed in the discussion.
- 36.1.5.4 A copy of the signed consent document will be retained in the Authority office.
- 36.1.5.5 If the parent/guardian uses a different support person for subsequent meetings, a new signed consent will be required.

36.1.6 Support Persons Accompanying a Person with a Disability at Authority Events for Which There is an Admission Fee

- 36.1.6.1 Where an individual with a disability who is accompanied by a support person wishes to attend an Authority event for which a fee is charged, the notice of the event will include information as to whether support persons will be charged a fee and specify the amount of the fee. Information regarding fees for support

persons must be included in the general advertising of all events where a fee is charged. Generally, it is recommended that the admission fees for support persons be waived.

- 36.1.6.2 Where the Authority may require the presence of a Support Person the Authority 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 and safety of the person with a disability or the health or safety of others on the premises.

(Note: This would be a highly rare situation and would only occur where, after consultation with the person with the disability, requiring a support person is the only means available to allow to be on the premises, and at the same time, fulfill the Authority's obligations to protect the health and safety of the person with the disability or of others on the premises. It is further noted that people with disabilities are free to accept a reasonable risk of injury to themselves just as other people do. Different individuals will have a different tolerance for risk. Risk should be weighed against any benefit for the person with a disability. It is not enough that the support be weighed against any benefit for the person with a disability. It is not enough that the support person might help to protect health and safety; a support person must be necessary or essential to protect health and safety before you can require one – the risk cannot be eliminated or reduced by other means. Any considerations on protecting health or safety should be based on specific factors and not on assumptions. Just because someone has a disability doesn't mean they are not capable of meeting health or safety requirements.)

Ausable Bayfield Conservation Authority
CONSENT FORM – USE OF SUPPORT PERSON
BY THE GENERAL PUBLIC
Ontario Regulation 429/07
Accessibility Standards for Customer Service

I, _____ (parent/guardian) consent to the sharing of confidential information by _____ (ABCA staff/employee) related to my child ward _____ (name) in the presence of my support person _____ (name).

My support person _____ (name) consents to the safeguarding the confidentiality of the information shared.

Affirmation of consent:

Parent/Guardian

Signature _____ Date _____

(Printed Name of Parent/Guardian) _____

I undertake to safeguard the confidentiality of information shared between _____ (ABCA staff) and _____ (parent/guardian) for whom I am a support person.

Support Person

Signature _____ Date _____

(Printed Name of Support Person) _____

Signature of Witness

ABCA Employee/Staff member _____ Date _____

(Printed Name of Employee/Staff member) _____

Form # 150-006

36.2 Use of Assistive Devices by the General Public

36.2.1 Definition/Explanation of Assistive Devices:

An assistive device is any device used by people with disabilities to help with daily living. Assistive devices include a range of products such as wheelchairs, walkers, white canes, oxygen tanks and electronic communication devices.

36.2.2 Responsibility

36.2.2.1 Supervisory Officers and Departmental Managers will ensure that staff are trained to support the general public who may use assistive devices while accessing authority services.

36.2.2.2 Training will be focused on how to interact with people using assistive devices rather than on the technical use of the assistive devices.

36.2.2.3 Individuals or groups using the authority facilities under a Community Use Agreement will be responsible for supporting their members who may use assistive devices.

36.2.2.4 Employees will have separate and specific procedures related to their personal use of their assistive devices.

36.3 Communication Regarding Use of Assistive Devices

Assistive devices Carried by Persons with Disabilities

36.3.1 The Authority website will indicate that the all authority facilities provide services that respect the independence and dignity of people with disabilities and offer services that include the use of assistive devices.

36.3.2 Each Authority facility that is open to the public will post information in the office/reception area that welcomes the use of assistive devices and encourages users to seek support from staff and volunteers as they require it.

*Assistive Device/Services – Made available by the Authority**

36.3.3 The authority website, as applicable, will indicate the assistive devices provided by the authority to assist in provision of services to people with disabilities. Upon prior request of the user it may be possible to utilize assistive devices that are generally available at another site, in a particular site, for a particular event.

36.3.4 Each authority facility that is open to the public will, as applicable, post information in the office/reception area that indicates the availability of assistive devices and encourage potential users to seek support from staff and volunteers as they require it. (*Note – these could include: **Assistive devices:** TTY service, telephones with large numbers, large monitors for viewing documents with larger fonts. **Services:** Oral interpretation, real-time captioning)

36.4 Notification of Disruption of Service

36.4.1 Definition/Explanation of Disruption of Service

As members of the general public, people with disabilities may rely on certain facilities, services or systems in order to access the resources of the authority. Ramps and elevators, for example, are important to people with mobility disabilities because that may be the only way they can access the premises. Other systems and services designed to meet the needs of people with disabilities can include accessible washrooms, amplification systems, large monitors, and note-taking or Teletypewriter (TTY) services. When those facilities or services are temporarily unavailable or if they are expected to be temporarily unavailable in the near future, a notice of disruption of service is required.

Generally, disruptions to all of the Authority's services, such as during a major storm or power outage, do not required special notice. However, if the disruption has a significant impact on people with disabilities, a notice of the disruption should be provided.

36.4.2 Responsibility

36.4.2.1 A representative of the Authority will endeavour to ensure that a notice is posted for the users of the Authority services when there is a disruption in services that may have an impact on access to services by people with disabilities.

36.4.2.2 Authority staff and volunteers have separate and specific procedures related to disruption of facilities and services designed to meet their needs

36.4.3 How Must the Notice of Disruption of Services be Provided?

36.4.3.1 Notice may be given by posting the information at a visual location at, or in, the Authority facilities. Other options that may be used include: posting on the Authority website; through direct communication with users of the services in accordance with Authority practices.

36.4.3.2 Consideration should be given to providing notice in multiple forms.

36.4.3.3 If the disruption is planned, notice should be provided in advance of the disruption. If the disruption is unplanned, notice should be provided as soon as possible after the disruption has been identified.

36.4.4 What must be Included in Notice of Disruption of Services

- 36.4.4.1** The notice of disruption of services must include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available.

Sample Notices

Sample 1 – Access to Authority Office

To: Watershed and Community members using our Office

Maintenance work will make the main door of our office and the access ramp inaccessible from June 1 to June 15. A temporary ramp has been set up that gives access to the north side of the office building. We regret this inconvenience. If you have any questions or concerns, please contact _____ at (phone # and/or e-mail address).

Thank you,
General Manager

Sample 2 – Accessible Washroom

To: Watershed and Community members using our Office

Our accessible washroom is out of service due to a broken pipe. Repairs are underway and the washroom is expected to be usable again by (date). In the interim, we have made arrangements for our visitors to use the accessible washroom at (address), which is located () from our premises. We apologize for this inconvenience.

Thank you,
General Manager

36.5 Monitoring and Feedback on Accessible Customer Service

36.5.1 Expectations

The Authority will monitor the effectiveness of implementation of the Accessible Standards for Customer Service through a process for receiving and responding to feedback. Information about the feedback process will be readily available to the public and will allow people with disabilities to provide feedback using a number of methods.

36.5.2 Responsibility

36.5.2.1 The General Manager and/or designates will implement a process for Feedback on Accessible Customer Service that has the following components:

36.5.2.1.1 Information on the Authority website inviting users of the Authority services to provide feedback on their experience with or concerns about access to services for people with disabilities;

36.5.2.1.2 Printed information available through the office of the Authority to invite people with disabilities to provide feedback on their experience with or concerns about accessibility of services. Consideration should be given to providing information in alternate formats; and,

36.5.2.1.3 Information on how the Authority will acknowledge, clarify and respond to feedback.

36.5.2.2 The General Manager and/or designates will create a process for reviewing implementation of the administrative procedures required by the Accessibility Standards for Customer Service that includes consultation with various constituency groups including Accessibility for Ontarians With Disabilities (AODA) Committee and citizen's groups. Consultation methods could include electronic methods could include electronic feedback and focus groups.

36.5.3 Methods for Feedback

36.5.3.1 A range of methods for soliciting feedback will be employed to ensure optimum access to the feedback process by people with disabilities

36.5.3.2 Methods could include e-mail, verbal input, and suggestion boxes.

36.5.3.3 The feedback process should include the title(s) of the person(s) responsible for receiving feedback and indicate how the Authority's response to feedback will be made known.

36.5.4 Proactive Measures for Accessible Customer Service

36.5.4.1 To ensure ongoing efficient and effective adherence to the Authority's policy on Accessibility Standards for Customer Service, the Authority and its staff and representatives will take into account feedback received from people with disabilities when purchasing new equipment, designing new or renovating old facilities.

36.5.5 Notice Regarding Feedback on Accessible Customer Service

The Ausable Bayfield Conservation Authority is committed to ensuring that its services meet optimum standards of accessibility for people with disabilities using the facilities and services of the Authority. Comments on our services regarding how well those expectations are being met are welcome and appreciated.

Feedback regarding the way the Ausable Bayfield Conservation Authority provides services to people with disabilities can be made by e-mail (info@abca.on.ca), fax (519-235-1963) or telephone (519-235-2610).

All feedback will be directed to the General Manager and/or designates. Response to your feedback will be provided by direct response to you or as a summary report on the Authority's website within a specified period of 45 days from the initial enquiry.

36.6 Use of Service Animals by the General Public

36.6.1 Definition/Explanation of Service Animal:

A service animal is an animal that is being used because of a person's disability and this is either readily apparent or is supported by a letter from a physician or nurse.

36.6.2 Additional Information

Examples of service animals include dogs used by people who have vision loss, hearing alert animals for people who are deaf, deafened or hard of hearing, and animals trained to alert an individual to an on coming seizure and lead them to safety. The customer service standard's provisions also apply to animals providing other services to people with disabilities.

It is "readily apparent" that an animal is a service animal when it is obvious by its appearance or by what it is doing. For example, it may be readily apparent that an animal is a service animal if it is wearing a harness, saddle bags or a sign that identifies it as a service animal or has a certificate or identification card from a service animal training school or an identification card from the Attorney General of Ontario. It may also be readily apparent if a person is using the animal to assist him or her in doing things, such as opening doors or retrieving items.

36.6.3 Responsibility

36.6.3.1 Supervisory Officers and department Managers will ensure that all staff, volunteers and others dealing with the public are properly trained in how to interact with people with disabilities who are accompanied by a service animal. Training applies as well to students and volunteers in positions where they would be working with the public.

36.6.4 Access to Authority Premises

36.6.4.1 Any person with a disability who is accompanied by a service animal will be welcomed on Authority premises with his or her service animal and may be accompanied by a service animal while on the premises. Access will be in accordance with normal security procedures.

36.6.4.2 This requirement applies only to those areas of the premises where the public or third parties customarily have access and does not include places or areas of the authority where the public does not have access.

36.6.4.3 Community Use of Authority agreements will note that the service animals are permitted and standard practices regarding additional custodial requirements will apply.

36.6.5 Exclusion of Service Animal

36.6.5.1 A service animal can only be excluded from access to the premises where is required by another law. Examples include the Health Protection and Promotion Act and the Food and Quality Act. The former Act prohibits service animals in places where food is prepared, processed, or handled (e.g. kitchen) although service dogs are permitted where food is served and sold.

36.6.5.2 Where there is a risk to the health and safety of another person as a result of the presence of a service animal, consideration must be given to options available prior to exclusion of a service animal. An example would be a situation where an individual with a severe allergy or phobia to the service animal. It is the Authority's expectation that the situation be fully analyzed and all measures to eliminate the risk be considered, e.g. creating distance between the two individuals concerned, making reasonable alterations to schedules, etc.

36.6.5.3 A service animal can be excluded if it is of a breed that is prohibited by law. An example would be the Ontario Dog Owners' Liability Act which places restrictions on pit bull terriers.

36.6.6 Alternative Measures if Service Animal Must be Excluded

- 36.6.6.1** In the rare instance where a service animal must be excluded, the Authority must make every effort to put alternative arrangements in place to provide the services required by the person with a disability. This could involve leaving the animal in a secured area where it is permitted by law discussing with the person how best to serve them, e.g., a person with a vision disability might need someone (a member of staff or volunteer) to guide them. There is no expectation on the Authority to provide any care (feeding, toileting) for the service animal during the exclusion.
- 36.6.6.2** When it is necessary to confirm an animal is a Service Animal
- 36.6.6.3** Where an animal is not a trained guide dog and it is not readily apparent that the animal is a service animal, the authority or staff member may ask the person using the service animal for a letter from physician or nurse confirming that the animal is needed because of a disability. The letter does not need to identify the disability, why the animal is needed or how it used.
- 36.6.6.4** Where the person using the service animal regularly attends an authority facility, management may request to keep a copy of the letter on file but only as long as required by the circumstances. Alternatively, the person using the service animal may be asked to bring a letter with them on occasions when they visit the premises. Management shall preserve the confidentiality of the letter and information contained in the letter, and shall not use or disclose the letter or information except as provided for in the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, cM56, or as otherwise required by law.