



CORPORATE POLICY AND PROCEDURES MANUAL

Policy No:

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037

Policy Name:

ACCESSIBLE CUSTOMER SERVICE

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Human Resources
ADOPTED BY: **Council**

DATE: **October 30, 2009**

DATE: **December 8, 2009**

RESOLUTION NUMBER: **CR2009-1383**

EFFECTIVE: **December 8, 2009**

CROSS-REFERENCE:

REVISIONS:

PURPOSE AND BACKGROUND:

The Accessibility for Ontarians with Disabilities Act (AODA), 2005 is a Provincial Act with the purpose of developing, implementing and enforcing accessibility standards in order to achieve accessibility for persons with disabilities with respect to goods, services, facilities, accommodation, employment, buildings, structures and premises by January 1, 2025.

Under the *AODA, 2005*, Ontario Regulation 429/07, Accessibility Standards for Customer Service came into effect on January 1, 2008. The Regulation establishes accessibility standards specific to customer service for public sector organizations and other persons or organizations that provide goods and services to members of the public or other third parties, addressing the following:

- The provision of goods and services;
- The use of assistive devices;
- The use of service animals;
- The use of support persons;
- Notice of temporary disruptions in services and facilities;
- Training;
- Customer feedback regarding the provision of goods and services; and
- Notice of availability and format of documents.

Persons with disabilities will be given an opportunity equal to that given to others, to obtain, use or benefit from the goods and services provided by and on behalf of the City.

In keeping with The City of Kawartha Lakes, Community Vision Document, the City is committed to providing quality goods and services that are accessible to **all persons** that we serve, in a manner that respects the **dignity and independence** of each individual, the **integration** of each individual as fully

as practicable into the method of service delivery and ensures that people with disabilities will be given an **equal opportunity** to use an benefit from goods and services provided by the City.

By considering these principles when developing policies, practices, and procedures, accessibility planning becomes entrenched with the decision making process and satisfies the spirit with which the *AODA, 2005* was enacted.

SCOPE:

This policy applies to all persons who provide goods and services to members of the public or other third parties on behalf of the City, whether the person does so as an employee, member of Council, agent, volunteer, student and all persons who participate in developing the City's policies, practices and procedures governing the provision of goods and services to members of the public or other third parties.

DEFINITIONS:

"Accessibility Standard" means the Ontario Regulation 429/07 created under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* which provides for standards to enhance the accessibility of an organization ("the Standard").

"Agent" means one who is authorized to act or do business for another; one who represents a government agency.

"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, wheelchairs, personal sound amplification devices, ventilators, etc.)

"City" means The City of Kawartha Lakes.

"Dignity" means service is provided in a way that allows the person with a disability to maintain self-respect and the respect of other people.

"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 speed impediment or physical reliance on a guide dog, or other animal or on a wheelchair or other remedial appliance or 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,
- 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*.

"Equal Opportunity" means access to goods or services equal to that given to another.

"Independence" means doing things on your own without unnecessary help or interference from others.

"Integration" means benefiting from the same services, in the same place, and in the same or similar manner as another.

“Nurse” means a Registered Nurse or Registered Practical Nurse who is a registered member in good standing with the College of Nurses of Ontario.

“Physician” means a physician who is a registered member, in good standing, with the College of Physicians and Surgeons of Ontario.

“Public” means, all people seeking goods and services from the City;

- a) Mayor and members of Council,
- b) All staff,
- c) Citizens and visitors to the City of Kawartha Lakes,
- d) Businesses,
- e) Volunteers and agents recognized by the City,

“Service Animal” means

1. A “guide dog”, as defined in Section 1 of the *‘Blind Persons Rights’ Act* R.R.O. 1990, or
2. A “service animal” for a person with a disability. For the purpose of this policy, an animal is a service animal for a person with a disability,
 - a) If it is readily apparent that the animal is used by the person for the reasons relating to their 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.

“Support Person” means a person who accompanies a person with a disability in order to assist them with communication, mobility, personal care, medical needs or with access to goods or service.

POLICY, PROCEDURE AND IMPLEMENTATION:

1.0 Use of Service Animals, Support Persons and Assistive Devices

1.01 Service Animals

If a “guide dog” or other “service” animal accompanies a person with a disability, the City will ensure that **service animals** are permitted in all City owned and operated facilities accessible to the public with the exception of food preparation areas or unless the animal is otherwise excluded by law. 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*.

If a service animal is excluded by law from the premises, the City shall ensure that other measures are available to enable the person with a disability to obtain, use or benefit from the provider’s goods or services.

If it is not readily apparent that the animal is a service animal, the City may ask the person with a disability for a letter from a physician or nurse confirming that the person requires the animal for reasons relating to their disability. The City may also, or instead, ask for a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized guide dog or service animal training school.

It should be noted that the care and control of the service animals is the responsibility of the owner.

1.02 Support Persons

If a support person accompanies a person with a disability, the City will ensure that:

- a) Support persons are permitted access to all public areas in facilities owned and operated by the City;
- b) The applicable rate payable by a support person for admission to public areas in facilities owned and operated by the City in connection with a person's presence at the premises shall apply.

1.03 Assistive Devices

The City will allow persons with disabilities to use their own personal assistive devices to obtain, use or benefit from the services offered by the City.

Should a person with a disability be unable to access the City's services through the use of their own personal assistive device, the City will ensure the following measures:

- a) Determine if service is inaccessible, based upon individual requirements,
- b) Assess service delivery and potential service options to meet the needs of the individual,
- c) Notify person with disability of alternative service and how they can access the service, temporarily or on a permanent basis.

It should be noted that it is the responsibility of the person with a disability to ensure that their assistive device is operated in a safe and controlled manner at all times.

2.0 Notice of Temporary Service Disruption

Temporary disruptions in City services or facilities may occur due to reasons that may or may not be within the City's control or knowledge. The City will make every reasonable effort to provide notice of disruption to the public.

The Notice will include information about the reason for the disruption, its anticipated duration, and a description of any available alternative services.

If feasible, notice will be given by posting the information at a conspicuous place on the premises, by posting it on the City's website or by such other method as is determined reasonable in the circumstances.

3.0 Customer Feedback Process

All individuals will have the opportunity to submit feedback regarding the provision of accessible customer service.

The feedback process will permit persons to provide their feedback in person, by telephone, by mail, e-mail, fax or otherwise.

Information about the feedback process will be readily available to the public and notice of the process will be posted on the City's website (www.city.kawarthalakes.on.ca) and/or through other printed outreach methods.

Feedback information will be analyzed and utilized in the development of the Annual release of the Accessible Customer Service Report to the Ministry of Community and Social Services.

4.0 Training

The City will ensure that all persons to whom this policy applies receive training as required by the Accessibility Standards for Customer Service. The amount and format of training given will be tailored to suit each person's interactions with the public and their involvement in the development of policies, procedures and practices pertaining to the provision of goods and services.

The content of the training will include:

- a review of the purposes of the AODA, 2005;
- the requirements of the Accessibility Standards for Customer Service (Ontario Regulation 429/07);
- instruction on the City's Accessible Customer Service policy and resulting procedures and practices pertaining to the provision of goods and services to persons with disabilities;
- what to do if a person with a particular type of disability is having difficulty accessing the City's goods or services;
- how to interact with persons with disabilities who use assistive devices or who require the assistance of a support person or service animal; and
- information about the equipment or devices available on the City's premises that may assist with the provision of goods or services to persons with disabilities.

4.01 Timeline for Training

Training will be provided in accordance with the Ontario Regulation 429/07 created under the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* and will consider individual departmental requirements and movement of staff throughout the organization in association providing accessible customer service in the applicable areas. An Accessible Customer Service Training component will be included within the employee orientation workshop module.

4.02 Records of Training

The City will keep records of the training, including the dates and the number of individuals to whom it is provided. The names of individuals trained will be recorded for training administration purposes, subject to the *Municipal Freedom of Information and Protection of Privacy Act*. ("MFIPPA").

5.0 Notice of Availability and Format of Documents

All documents required by the Accessibility Standards for Customer Service, including the City's Accessible Customer Service policies, procedures and practices, notices of temporary disruptions, training statistics and written feedback process are available upon request. (subject to the *Municipal Freedom of Information and Protection of Privacy Act*. ("MFIPPA").

When providing a document to a person with a disability, the City will provide the document, or the information contained in the document, in a format that takes the person's disability into account.