Guidance on the Accessible Canada Regulations

Module 1: Accessibility Plans

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1. Introduction

Overview

The Accessible Canada Act (ACA) and the Accessible Canada Regulations (regulations) require that federally regulated entities prepare and publish accessibility plans, progress reports on the implementation of their plans, and descriptions of their feedback processes. The regulations establish the foundational requirements that such entities must meet to fulfill their planning and reporting obligations under the ACA.

These guidance modules are not legally binding. They aim to help federally regulated entities who are subject to the regulations fulfill those planning and reporting requirements. The references to sources, tips and best practices included here are intended to help entities to go farther in eliminating barriers to accessibility. These guidance modules will help your organization plan how best to approach the preparation and publication of your accessibility plans, progress reports, and descriptions of feedback processes.

Throughout these modules, actions and document contents that are mandated by the ACA and the regulations are described using the words "must" and "required." Recommended actions and document contents that are presented to ensure that entities' planning and reporting documents and practices are meaningful and concrete are described using the words "recommended," "should," "suggested," and "could." They are also described as "tips" and "best practices."

This first set of guidance modules is focused on accessibility plans. Additional guidance modules, including those on progress reports and descriptions of feedback processes, will be published in early 2022.

Depending on the services your organization provides, you may fall under the jurisdiction of more than one regulator or enforcement authority under the ACA. In that case, you will need to consult guidance provided by other regulators in addition to these modules. For example, in addition to notifying the Accessibility Commissioner, you will need to notify each applicable regulator when you publish your accessibility plans, progress reports on the implementation of your plans, and descriptions of your feedback processes. The required contents of these documents may also differ based on the applicable regulator.

Read the regulations for more about how to determine the applicable regulatory and enforcement authorities for your organization, and about how compliance will be evaluated by regulators.

Read sections 42 through 59 of the ACA to learn more about reporting requirements for entities under the Canadian Radio-television and Telecommunications Commission (CRTC).

Read sections 60 through 68 of the ACA to learn more about reporting requirements for entities under the Canadian Transportation Agency (CTA).

In line with the principle of "Nothing without us," the guidance material reflects insights and input from the disability community.

"Nothing without us" and basic principles

The foundational principle of "Nothing without us" recognizes that persons with disabilities are equal participants in all areas of life. As such, they should be involved in all decision-making on policies, programs, practices, and service delivery.

This principle should inform the way in which your organization approaches its responsibilities under the ACA and its regulations. It should guide the way you identify, remove, and prevent barriers, develop your accessibility plans, receive and respond to feedback, and measure your progress.

While there are specific deadlines for the publication of the reporting documents required under the ACA, your organization's work to improve accessibility should have already begun. As subsection 5.2 of the ACA says:

> "Nothing in this Act, including its purpose of the realization of a Canada without barriers, should be construed as requiring or authorizing any delay in the removal of barriers or the implementation of measures to prevent new barriers as soon as is reasonably possible."

Accessibility plans are an important part of this process.

Section 6 of the ACA sets out the following principles that your organization must consider in all of its decision-making, including the development of its accessibility plan:

1. all persons must be treated with dignity regardless of their disabilities
2. all persons must have the same opportunity to make for themselves the lives that they are able and wish to have regardless of their disabilities
3. all persons must have barrier-free access to full and equal participation in society, regardless of their disabilities
4. all persons must have meaningful options and be free to make their own choices, with support if they desire, regardless of their disabilities
5. laws, policies, programs, services and structures must take into account the disabilities of persons, the different ways that persons interact with their

environments and the multiple and intersecting forms of marginalization and discrimination faced by persons

6. persons with disabilities must be involved in the development and design of laws, policies, programs, services and structures

7. the development and revision of accessibility standards and the making of regulations must be done with the objective of achieving the highest level of accessibility for persons with disabilities

Read the introductory sections of the ACA for more on these principles in context.

With these principles in mind, the following guidance modules will help you ensure that your accessibility plans:

o incorporate best practices while meeting the requirements of the ACA and its regulations

o include useful information about your organization's efforts and activities to identify remove, and prevent barriers in consultation with persons with disabilities

o reflect and support your commitment to improving accessibility within your organization

2. Accessibility plans: key concepts

Introduction

Your accessibility plan is a document respecting your organization's policies, programs, practices, and services in relation to the identification and removal of barriers, as well as to the prevention of new barriers from emerging. The Accessible Canada Act (ACA) requires that you prepare and publish this plan. The Accessible Canada Regulations (regulations) say how you must publish it and what it must include.

The identification and removal of barriers, as well as the prevention of new barriers, will help your organization contribute to the goal of an accessible and barrier-free Canada. Ensuring that your organization's environment, operations, programs and products are accessible will benefit everyone, including persons with disabilities.

The ACA defines a barrier as:

> "Anything – including anything physical, architectural, technological or attitudinal, anything that is based on information or communications or anything that is the result of a policy or a practice – that hinders the full and equal participation in society of persons with an impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment or a functional limitation."

The ACA defines a disability as:

> "Any impairment, including a physical, mental, intellectual,
> cognitive, learning, communication or sensory impairment – or a
> functional limitation – whether permanent, temporary or episodic
> in nature, or evident or not, that, in interaction with a barrier,
> hinders a person's full and equal participation in society."

With this in mind, the ACA and any regulations made under the ACA require that your accessibility plan include information respecting:

- how employees, clients, members of the public, and others can contact your organization
- how your organization consulted persons with disabilities in the preparation of your accessibility plan
- your organization's policies, programs, practices and services in relation to the identification and removal of barriers, and the prevention of new barriers, in the areas described in Section 5 of the ACA

We recommend that your plan also:

- reflect your organization's short- and long-term accessibility goals:
  - **short-term** goals might include those already in progress, or to be achieved in the weeks or months after the plan's publication
  - **long-term** goals might include those expected to take a year or more, and/or to still be in progress at the time you publish either your next progress report or your updated accessibility plan
- explain what you are currently doing, what you plan to do, and what you hope to achieve in improving accessibility
- include useful accessibility-related information for clients and employees, such as:
  - available resources (programs, activities, funding) to improve accessibility and support persons with disabilities
  - locations of accessible entrances, restrooms, and other features
  - references and/or links to accessibility-related human resources materials, forms, and communication platforms
- describe your organization's approach to accessibility training
- give a sense of how accessibility fits into your organization's internal "culture," and how you intend to promote it

Above all, we recommend that your accessibility plan include concrete steps your organization is taking to identify, remove, and prevent barriers.

Combined with your progress reports and feedback processes, your accessibility plan should demonstrate your commitment to accessibility and your accountability to clients, employees, data users, persons with disabilities at large, and any other persons who deal with your organization. It is also an opportunity to make meaningful changes to how your organization works.

What the ACA and its regulations require

The ACA requires that federally regulated entities prepare, publish, and regularly update accessibility plans. The ACA also requires that such entities prepare and publish progress reports on the implementation of their accessibility plans. Read more about this reporting cycle's steps and deadlines.

The ACA and its regulations require that such entities include information in their plans in relation to the identification and removal of barriers, and the prevention of new barriers, in the areas described in Section 5 of the ACA:

- 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

Additional areas may be designated under future regulations.

The regulations establish more detailed requirements for accessibility plans, including:

- publication deadlines, including for updated plans
- publication requirements, including notifying the Accessibility Commissioner
- clarity of language
- mandatory headings and content, including information related to consulting persons with disabilities
- providing plans in alternate (accessible) formats upon request
- retaining documents
- exemptions

Accessibility plans for different regulatory authorities under the ACA

Some federally regulated entities engage in operations that may fall under additional regulations under the ACA, developed by either the Canadian Radio-television and Telecommunications Commission (CRTC) or the Canadian Transportation Agency (CTA). This means that they may be required to report to both the Accessibility

Commissioner (a member of the Canadian Human Rights Commission (CHRC)) and either CRTC or the CTA. The ACA requires that such entities' accessibility plans address their policies, programs, practices and services in a way that conforms to other regulations or laws that may apply to those entities.

Such entities are not required to prepare 2 separate accessibility plans. The content required for the Accessibility Commissioner and for the other applicable regulator can be included in a single accessibility plan that meets the requirements for both. While such entities would be allowed to prepare 2 separate plans, if they chose to do so, we recommend that they prepare a single plan instead. The benefits of preparing and publishing a single plan include:

o reducing the time and resources they will need to prepare, publish, report on, and update their plans
o improving consistency in how all parts of their organizations identify, remove, and prevent barriers
o making it easier for employees, clients, persons with disabilities at large, and other members of the public to find and read their plans

Read sections 42 through 50 of the ACA to learn more about entities who carry on broadcasting undertakings, and their requirements under the Broadcasting Act.

Read sections 51 through 59 of the ACA to learn more about entities who are Canadian carriers or telecommunications service providers, and their requirements under the Telecommunications Act.

Read sections 60 through 68 of the ACA to learn more about entities who are a part of the federal transportation network, and their requirements under the *Canada* Transportation Act.

3. Recommended first steps

Introduction

Preparing your first accessibility plan will take time, planning, and dedicated resources. It may also involve thinking about new things or asking unfamiliar questions. This section gives an overview of things that we recommend doing before you begin writing your first plan. This includes:

o identifying who is responsible for preparing the accessibility plan and/or receiving and responding to feedback on barriers, as required by the Accessible Canada Regulations (regulations)

- o conducting research and evaluating your organization's accessibility to help identify barriers
- o consulting persons with disabilities in the preparation of your plan, as required by the Accessible Canada Act (ACA)
- o creating a work plan based on the deadlines set in the ACA and its regulations

Read more on how to begin writing your accessibility plan.

Note: These modules focus on preparing your organization's first accessibility plan. The ACA also requires that organizations publish updated versions of their accessibility plans within 36 months from the date on which the last version of the plan was required to be published. Read more on these timelines and the steps involved.

Recommendations on deciding who is responsible for the plan

We recommend that your first step be deciding who in your organization will be responsible for preparing your accessibility plan.

The person(s) you choose should know your organization well and work effectively with others. They should have decision-making authority, or represent executives or managers who do. We recommend putting together a team to work on your plan.

One way to uphold the principle of "Nothing without us" is to include employees with disabilities on this team. They bring lived and living experience to the process, and they may be most affected by the plan.

We also recommend that team members represent different aspects or parts of your organization, such as human resources or different program areas. They should have the necessary knowledge and capacity to help identify, remove, and prevent barriers related to your policies, programs, practices and services. The team could also include members with expertise in the different areas described in Section 5 of the ACA.

You may also consider creating a budget, timeline and roadmap for completing the plan, and sharing these documents with your management. This will help you stay on track and meet your deadlines. Having a budget also demonstrates to employees that the plan is a priority for your organization, and that they should support the people working on it.

Recommendations on identifying barriers

An effective next step would be reviewing the accessibility of your organization's policies, programs, practices, and services. As per the ACA, you must identify existing barriers to remove, and ways to prevent new barriers from emerging in the future. While

doing so, remember that the removal of a particular barrier can sometimes lead to new, unintended barriers emerging.

For example, to make your place of business more accessible to persons in wheelchairs, you might have to choose between renovating an existing entrance and creating a new entrance. If so, consider that in some cases creating a separate wheelchair-accessible entrance may contribute to attitudinal barriers and stigma against persons with disabilities. Renovating an existing main entrance to be equally accessible to all would not.

Multiple perspectives can make this process more efficient and meaningful. As such, we recommend that you reach out to employees, clients, and the public for ideas about how to improve accessibility within your organization. You can ask them about barriers in the areas described in Section 5 of the ACA, which describes the ACA's purpose, and can use what they tell you as a starting point in preparing the headings about those areas in your plan.

Disability organizations can bring one such perspective on different types of disabilities and barriers. They can also put you in contact with persons with disabilities in your community whom you can consult about your accessibility plan, as required by the ACA. You can also invite these organizations to provide input on your accessibility plan.

You may also be able to use services provided by disability organizations to help evaluate the accessibility of your organization's service delivery, communications, and both physical and digital environments.

Recommendations on consulting persons with disabilities

The ACA and its regulations require that you consult persons with disabilities in the preparation of your accessibility plans and progress reports. Remember to uphold the principle of "Nothing without us". Ensure your consultations are designed to be accessible and inclusive by default. Remember that inclusivity and accessibility should take geographical and cultural considerations into account. Participants from rural or remote locations may not have consistent access to transportation or to the Internet.

Above all, when possible, involve persons with disabilities in planning your consultations.

Since organizations have different resources, needs, and capabilities, there are different ways to conduct consultations. Your organization must decide who, when, and how to consult. Your accessibility plans and progress reports must then describe how you consulted persons with disabilities.

Read the Guide to Planning Inclusive Meetings for recommendations on conducting accessible meetings and engagements with persons with disabilities. Read the section of this guidance on required headings to learn about what should appear under the "Consultations" heading in your accessibility plan.

Detailed guidance on consulting persons with disabilities within the context of the ACA and its regulations will be published early in 2022.

4. Preparing your accessibility plans

Introduction

These modules provide information about both required and recommended content for your accessibility plans. The Accessible Canada Regulations (regulations) require that accessibility plans include the following headings:

o "General"
o areas described under Section 5 of the Accessible Canada Act (Act)
o "Consultations"

Other than requiring those headings, the regulations do not dictate the content of your accessibility plan. Your plan should be tailored to reflect your organization's resources, needs, and capabilities, as well as the services you provide and the clients you serve.

Reminder: The ACA and its regulations also require you to prepare and publish progress reports respecting the implementation of your accessibility plan. Those progress reports must include the same required headings ("General," headings respecting areas described under Section 5 of the ACA, and "Consultations"), as well as an additional heading on feedback you have received.

Additional guidance on preparing progress reports will be published in early 2022.

Required heading: "General"

What the regulations require that you include under the "General" heading

The regulations state that the information that is included under the "General" heading must include:

o the position title of the person designated to receive feedback on behalf of the regulated entity
o the manner and information by which the public can communicate with the regulated entity

This "manner and information" includes the regulated entity's mailing address of its publicly accessible businesses, a telephone number, and an email address.

This contact information will allow the public to:

o request the entity's accessibility plan in one of the alternate formats described in subsection 8(2) of the regulations
o request the description of the entity's feedback process in one of the alternate formats described in subsection 9(5) of the regulations
o provide feedback to the regulated entity

In other words, you must provide the information necessary for the public to be able to communicate with your organization about accessibility and barriers.

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

This could be a good place to include an executive summary of your plan, providing an overview of the major barriers identified and the most important steps taken in response. You could also include an accessibility statement describing how accessibility fits within your organization's overall goals and values.

This section could also include some basic information about your organization, such as what you do, who your clients are, how many people are on your staff, and what your organization's overall vision and values are.

If a team or committee is preparing your organization's accessibility plan, you might list members' names and contact information here as well, subject to any applicable privacy restrictions. You could also list and describe any designated accessibility-related roles (such as an accessibility evaluator, a training coordinator, or an ombudsperson) within your organization.

Required headings: Areas described under Section 5 of the ACA

What the regulations require that you include under these area headings

Your accessibility plan must include content respecting your organization's policies, programs, practices and services in relation to the identification and removal of barriers, and the prevention of new barriers, in the areas described in Section 5 of the ACA:

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

- transportation

Your accessibility plan must include a heading for each of the areas identified under Section 5 of the ACA, even if you cannot immediately identify barriers or develop activities in those areas. Additional areas may be designated under future regulations.

Some federally regulated entities engage in operations that may fall under additional regulations under the ACA, developed by either the Canadian Radio-television and Telecommunications Commission (CRTC) or the Canadian Transportation Agency (CTA). This means that they may be required to report to both the Accessibility Commissioner (a member of the Canadian Human Rights Commission (CHRC)) and either CRTC or the CTA. The ACA requires that such entities' accessibility plans address their policies, programs, practices and services in a way that conforms to other regulations or laws that may apply to those entities.

Read sections 42 through 50 of the ACA to learn more about entities who carry on broadcasting undertakings, and their requirements under the *Broadcasting Act*.

Read sections 51 through 59 of the ACA to learn more about entities who are Canadian carriers or telecommunications service providers, and their requirements under the *Telecommunications Act*.

Read sections 60 through 68 of the ACA to learn more about entities who are a part of the federal transportation network, and their requirements under the *Canada Transportation Act*.

Remember: The ACA requires that you consult persons with disabilities in the preparation of your accessibility plan. Take advantage of these consultations to ask for advice on identifying, removing, and preventing barriers to ensure accessibility in all areas.

Additional information we recommend you include under these area headings

Each organization will have different barriers to identify, remove, and prevent. We recommend that the sections of your accessibility plan related to each of the areas described in Section 5 of the ACA be tailored accordingly.

Under each area heading, we recommend that you include some or all of the following:

- concrete and achievable actions your organization is taking (or has already taken) to identify, remove, and prevent barriers in that area
- short descriptions of your current level of accessibility, your accessibility goals, and the positive changes expected to result from greater accessibility in that area

- note: in stating your organization's accessibility goals, it can be helpful to choose them using the S.M.A.R.T. system; goals should be:

    - **s**pecific
    - **m**easurable
    - **a**ttainable
    - **r**ealistic
    - **t**ime-based

- read the guidance module on evaluating your accessibility plan for recommendations on setting goals with these qualities

- policies, programs, practices and services you intend to change related to that particular ACA area, how you plan to change them, and the results you expect from those changes
- other accessibility achievements or milestones you expect to reach while this accessibility plan is in place
- training related to this particular area that you have provided, or plan to provide, to employees
- long-term plans for activities or changes that go beyond the duration of this accessibility plan
- the names and contact information of any accessibility plan team members, accessibility officers, or other staff within your organization who have responsibilities related to the plan

You should choose the format and content for these sections that best describe and support your efforts to identify, remove, and prevent barriers to accessibility.

Required heading: "Consultations"

What the regulations require that you include under the "Consultations" heading

The regulations state, with reference to the ACA, that your accessibility plan must set out the manner in which you consulted persons with disabilities in the preparation of your plan (in other words, explain how you consulted persons with the disabilities).

Keep in mind that your organization must also consult persons with disabilities in the preparation of your progress reports. ESDC will publish additional guidance on consulting persons with disabilities in early 2022.

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

Since organizations all have different resources, needs, and capabilities, and serve different clients and provide different services, the ACA and its regulations do not

mandate a specific way to conduct consultations. We recommend that your organization consult persons with disabilities in a way that best supports your efforts to identify, remove, and prevent barriers.

In this section of your accessibility plan, we recommend that you include information about some or all of the following:

o   whom you consulted**:**

- the names of disability organizations or experts who participated
- the number of participants
- the range of disabilities represented
- note: except in the case of expert participants appearing in a professional capacity, the names of individual participants should be removed to respect individuals' right to privacy

o   what you consulted on:

- the questions asked and the answers received
- an explanation of how those responses informed your accessibility plan

o   when you consulted:

- the dates or period of time during which the consultation(s) took place
- a description of how far along you were in developing your accessibility plan at the time the consultations occurred

o   how you consulted:

- a description of the consultation process and activities (for example, whether you used in-person events, virtual meetings, group discussions, digital surveys, or a combination of these or other means)
- an explanation of why you chose that process and those activities
- an account of what your organization did to ensure the consultations were accessible

o   where you consulted:

- the communities, cities, or other locations where you held consultations (if relevant)

o   results:

- what data and information you received from your consultations and how you intend to act on them

Consultations offer important opportunities to listen, learn, and discuss. As you consult, you may learn about other topics you may wish to include in your accessibility plan.

Other recommended content

The headings required by the regulations cover important aspects of accessibility, but they may not cover every subject your organization would like to include in your accessibility plan. You may have additional priorities, or you may identify and remove additional barriers based on your organization's activities, location, or other factors. Your accessibility plan is an opportunity to publicly present your organization's values, achievements, and commitments regarding accessibility.

Here is some additional content that we recommend you include under separate headings.

Glossary

You could include a glossary where you define some of the words in your plan, such as types of disabilities, how the ACA defines "barriers," or any technical or professional terms relevant to your organization. A glossary can make it easier to read your plan. It can also prevent you from having to define terms every time they appear in your plan.

Budget and resources

You could also include a description of the money and resources your organization plans to allocate for accessibility improvements. This would promote accountability and demonstrate your organization's commitment to accessibility to employees, clients, and members of the disability community. You could create a heading for this section or include this information under the "General" heading of your plan.

Training

You could provide details about training you will offer to your staff, such as training about accessibility and about communicating with people with different types of disabilities. Persons with disabilities are best placed to partner with you in the development and delivery of training programs given their lived and living experiences. Such partnerships also reaffirm organizations' commitment to the principle of "Nothing without us."

Training can improve how your employees serve clients with disabilities. It can show how accessibility benefits everyone, including employees. Well-trained staff are critical to any organization's success. You could include a separate heading in your plan for this, or include this information under the appropriate headings for the areas described in Section 5 of the ACA.

Length, detail, and design

The regulations do not specify a minimum or maximum length for accessibility plans. They must include all required content, and should be comprehensive and useful without being too long or complicated. They must also be written in simple, clear, and concise language. Guidance on simple, clear and concise language will be published in the spring of 2022.

The published plan should also be optimized for accessibility. Consult the Digital Accessibility Toolkit and the Canada.ca Content Style Guide for recommendations on creating accessible documents.

Alternate formats and simple, clear, and concise language

Alternate formats

The regulations require that you provide your accessibility plans in the following formats upon request:

o print
o large print (increased font size and clarity)
o braille (a system of raised dots that people who are blind or who have low vision can read with their fingers)
o audio (a recording of someone reading the text out loud)
o electronic (an electronic format that is compatible with adaptive technology that is intended to assist persons with disabilities)

Additional guidance offering recommendations, tips and best practices for providing your accessibility plans, progress reports, and descriptions of feedback processes in alternate formats will be published in the spring of 2022.

The regulations set different deadlines for different entities to provide copies of their accessibility plans depending upon the requested format.

o All federal government entities, including departments, agencies, Crown corporations, or government-related entities such as the Canadian Forces or Parliamentary entities, must provide print, large print, and electronic formats of their plans **within 15 days** of a request
o Federally regulated private-sector organizations with an average of 100 or more employees must provide print, large print, and electronic formats of their plans **within 15 days** of a request
o Federally regulated private-sector organizations with an average of between 10 and 99 employees must provide print, large print, and electronic formats of their plans **within 20 days** of a request

o   All organizations must provide braille or audio versions of their plans **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, or what to do if that average changes.

Simple, clear, and concise language

The regulations require that you write your accessibility plans, progress reports, and descriptions of your feedback process in language that is simple, clear, and concise. This will ensure that your plan 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.

Additional guidance offering recommendations and best practices for the use of simple, clear and concise language will be published in spring of 2022.

Requirements for publishing your plans

The regulations set different deadlines for the publication of different entities' first accessibility plans:

o   government entities, including departments, agencies, Crown corporations, or government-related entities such as the Canadian Forces or Parliamentary entities: **December 31, 2022**
o   large federally regulated private sector entities with an average of 100 or more employees: **June 1, 2023**
o   small federally regulated private sector entities with an average of between 10 and 99 employees: **June 1, 2024**

Entities with an average of fewer than 10 employees are exempt from these planning and reporting requirements. Read subsections 1(2) and 1(3) of the regulations to learn how to calculate your average number of employees, or what to do if that average changes. Read subsections 2(a) and 2(b) of the regulations to learn about additional exemptions, for a period of five years from the day the regulations come into force, for First Nations band councils and certain related entities.

You must notify the Accessibility Commissioner within 48 hours of publishing your accessibility plan. This notification must be sent by email or other electronic means. It must include either the URL address of the plan, a hyperlink to that URL address, or the mailing addresses of the places of business at which that version of the plan is displayed.

Your organization may engage in operations 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). **If so, you may be required to notify both the Accessibility Commissioner (a member of the Canadian Human Rights Commission (CHRC)) and either the CRTC or the CTA.**

Read sections 42 through 50 of the ACA to learn more about entities who carry on broadcasting undertakings, and their requirements under the *Broadcasting Act*.

Read sections 51 through 59 of the ACA to learn more about entities who are Canadian carriers or telecommunications service providers, and their requirements under the *Telecommunications Act*.

Read sections 60 through 68 of the ACA to learn more about entities who are a part of the federal transportation network, and their requirements under the *Canada Transportation Act*.

Your organization must publish your accessibility plan on the main digital platform that you use to communicate with the public, such as a website or social media account. The published version of the plan must meet a certain level of the Web Content Accessibility Guidelines (WCAG). These are guidelines for designing accessible websites. Accessibility plans must at least meet AA-level success criteria of the most recent version of WCAG that is available in both English and French, which is currently WCAG 2.0. The specified version will be updated whenever official translations of later WCAG versions become available.

If your organization does not have a digital presence, you must display paper copies of the plan in the reception area or entrance of each of your places of business. These copies must be clearly visible and accessible to the public.

Keeping copies of plans

Your organization must keep copies of your accessibility plans for a period of seven years from the date on which that version of the plan was required to be published. If your organization has a public digital platform, a digital copy of your plan must be hosted there. If your organization does not have a public digital platform, you must retain a physical or electronic copy of the plan in such a manner that it is accessible to the public.

Note: Your organization must also keep print or electronic copies of any feedback you receive through your feedback process for a period of seven years beginning on the day on which it was received. Additional guidance offering recommendations and best practices for describing and maintaining your feedback process will be published in early 2022.

5. Recommendations on evaluating and documenting your accessibility plans

Recommendations for evaluating your plan

Your organization is required to prepare and publish progress reports on the implementation of your accessibility plan. Since each organization has different resources, needs, and capabilities, the Accessible Canada Act (ACA) and the Accessible Canada Regulations (regulations) do not mandate a specific approach to implementing or evaluating your plan.

We recommend that you actively evaluate the success of your plan's individual elements throughout the three years it will typically remain in effect before your required update. This could help you prepare both your progress reports and the updated versions of your plan.

The Evaluation in the Government of Canada hub includes many resources and recommendations for evaluating policies, programs, practices and services. While these tips and best practices have been compiled with federal organizations in mind, many of them may be useful to federally regulated private-sector entities as well.

Although success will look different for every organization, here are some recommendations and best practices for implementing and evaluating your accessibility plans:

o   include specific actions in the plan that can be measured:

- example: install a properly graded ramp at the front entrance of the main office by [date]
- example: conduct an accessibility evaluation of the organization's emergency exit procedures by [date]
- example: ensure that 75% of employees complete a training course on accessible communication by [date]

o   avoid vague or aspirational statements, or things than can't be measured:

- example: instead of saying that you plan to "improve accessibility" within your organization, specify which aspects you will improve and the concrete steps you will take
- example: instead of saying that you plan to "change attitudes" about disability and accessibility within your organization, specify which topics you will address and the concrete steps you will take

- o be honest and thoughtful when assessing the implementation of your accessibility plan:

  - you may find that specific actions in your plan are completed, some are in progress, or some are not yet undertaken
  - you should provide similar levels of detail about actions at each stage listed above
  - for actions still in progress or not yet begun, you should ask yourself:

    - when this action will be completed
    - what additional resources may be required to complete this action
    - what has prevented this action from being undertaken or completed by the proposed deadline
    - what steps can be taken to reduce or prevent obstacles to completing this action

Recommendations for record-keeping

We recommend that you keep clear records about the actions your organization has taken to identify, remove, and prevent barriers. This will help you develop your progress reports and update your accessibility plans. These records will also be beneficial during an inspection by the Accessibility Commissioner.

We strongly recommend that you keep clear, detailed records of your consultations with persons with disabilities in preparing your accessibility plans and progress reports. Such consultations are required by the ACA, and your records could help demonstrate that your plan accurately describes how the consultations were conducted.

Here are some specific things that we recommend you include in your records of the actions your organization has taken to identify, remove, and prevent barriers:

- o with whom you consulted in preparing your accessibility plans and progress reports:

  - keep a record especially of how you consulted persons with disabilities
  - retain copies of comments or other information submitted through this consultation

- o specific details of actions taken to identify, remove, and prevent barriers:

  - record information on a regular basis to keep track of how barriers are identified, removed, or prevented
  - document what the barriers were and what specific steps were taken to remove or prevent them
  - note any future steps that will have to be taken to remove or prevent additional barriers

- o any costs and resources required:

  - keeping track of this will help your organization plan for future accessibility improvements and training

- o who was responsible for identifying, removing, and preventing these barriers:

  - you should identify the employees responsible for implementing and measuring accessibility improvements
  - keeping track of this will help you plan for future accessibility improvements; it will also help build a team of people who can advise other employees about accessibility

- o what you have been told:

  - the ACA requires that you have a formal feedback process through which any persons who deal with your organization may submit feedback about the implementation of your accessibility plan and about any barriers they have encountered
  - the ACA requires that you receive this feedback, keep a record of it, and acknowledge it (when it is not anonymous) in the same means by which it was received
  - the ACA also requires that your progress report contain information concerning this feedback and how that feedback was taken into consideration
  - you may also have contacted experts, disability organizations, or service providers to get advice about removing and preventing barriers
  - keeping track of this will help you develop your progress reports, update your accessibility plans, and meaningfully take feedback into consideration
  - note: if these records are available to the public, be sure to remove all names and personal information to ensure confidentiality

6. Looking ahead: the reporting cycle and updating your accessibility plan

The planning and reporting cycle

The Accessible Canada Act (ACA) and the Accessible Canada Regulations (regulations) establish a three-year planning and reporting cycle:

1. first year: publish an accessibility plan and a description of your feedback process
2. second year: publish a progress report on the implementation of your accessibility plan, including information on feedback you have received and on how that feedback has been taken into consideration
3. third year: publish another progress report

4. fourth year: publish an updated version of your accessibility plan
5. repeat (publish progress reports in the fifth and sixth years, an updated plan in the seventh year, and so on)

This cycle will allow your organization to make changes to your policies, programs, practices, and services in consultation with persons with disabilities in preparation of your accessibility plans, and based on feedback from persons with disabilities on the implementation of your plans. Your progress reports must describe this feedback and how it was taken into consideration.

You must consult persons with disabilities when preparing your accessibility plans and progress reports. Your plans and reports must describe the manner in which you conducted these consultations.

Despite your best efforts, your organization may still have barriers. Many barriers are difficult to identify until a person with a disability encounters them. Your accessibility plan can provide a foundation on which to continuously build and improve.

Each required accessibility document offers an opportunity to get input from persons with disabilities, to reflect on your organization's goals and actions, and to be accountable for your current and future actions. We recommend that you view these documents as part of an ongoing process to improve accessibility. As you work on one accessibility document, keep the requirements for the other documents in mind.

Updating your accessibility plan

The regulations require that regulated entities publish an updated accessibility plan within 36 months from the date on which the last version of the accessibility plan was required to be published. You may also be required to publish a revised version of your accessibility plan if the Accessibility Commissioner determines your current plan does not comply with the requirements of the ACA and its regulations.

The ACA and its regulations do not impose a single approach for updating accessibility plans. However, all the requirements for accessibility plans described in these modules also apply to updated plans. You must:

o consult persons with disabilities when preparing your updated plan and describe the manner in which you did this
o include the same required headings ("General," areas described under Section 5 of the ACA, and "Consultations")
o follow the same rules for formatting, publishing, and keeping copies of your plans