

Digital accessibility and the new legislation

Snatching culture change from the jaws of
compliance.

What is digital accessibility?

- Personaliseable
 - Online content that can **reflow** when magnified, change **colours**, navigate by **heading levels**, **speak** content, **work** without a mouse, **interact** with assistive technology tools and plugins.
 - Web pages can do this (with browser plugins).
 - Word documents can do this.
 - PDFs can do this (though not all do).
 - Some presentation tools can do this – eg Sway, Xerte and PowerPoint to some extent.
- Flexible
 - Phone, tablet, PC

What does it apply to?

In post 16 publicly-funded institutions this legislation applies to

- Websites (ie = content / services accessed through a browser),
- VLEs, intranets and extranets and their content
- the “office files” (Word, PowerPoint, PDFs etc) hosted on them.
- library systems and – potentially – many administrative systems.

Why does it matter?

Before this legislation, disabled students had...

- No clarity - of expectations
- No experience - of digital accessibility
- No desire - to be troublemakers or risk grades
- No energy - to pursue complaints
- No confidence - in declaring a disability
- No opportunity for relevant feedback.

Those “most profoundly affected” by accessibility deficits withdraw so are “unlikely to complete an end-of-module survey”. *What Can Analytics Contribute to Accessibility in e-Learning Systems and to Disabled Students’ Learning?* <http://oro.open.ac.uk/45313/>

Boot on the other foot...

Know

Tell

Provide

Listen

Improve

What do we HAVE to do?

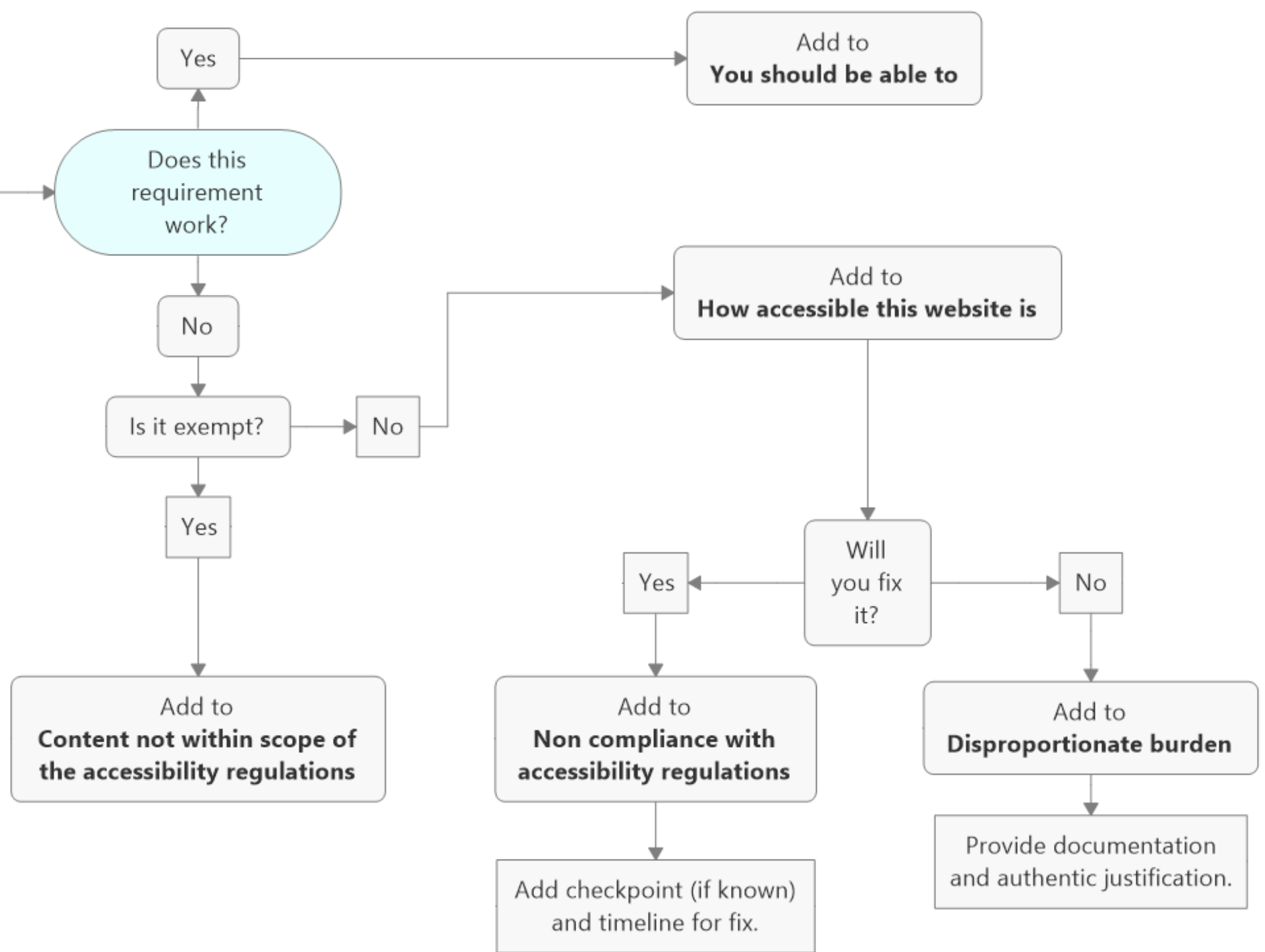
- Publicly available (and accessible!) accessibility statement with meaningful content.
 - You will need to state
 - What is compliant with web accessibility standards,
 - What is not compliant.
 - What alternatives are available.
 - What the request / complaint / escalation process is.
- Optimise and improve accessible systems and content.
 - But you are unlikely to achieve this in one go so will need
 - Evidence of 'disproportionate burden' where you believe this is applicable.
 - Signposting to alternative resources or systems where required.
 - A roadmap for improvement.

Sample statement structure (audited)

- Scope, ownership
- What works (“You should be able to”)
- How accessible this website is (“You could struggle because”)
- Feedback / contact information / Reporting problems / Enforcement
- Technical information about this website’s accessibility
 - Non-accessible content and what you’re doing about it...
 - Non accessible and working on (what issues? fixed by when?)
 - Non accessible and Disproportionate Burden
 - Non accessible and out of scope.
- What we’re doing to improve accessibility
- Testing process and Preparation of this accessibility statement

- Testable criteria**
- Focus is visible
 - Keyboard operable
 - Page structure
 - Reflow & magnification
 - Page titles
 - Image descriptions
 - Link text appearance
 - Link text description
 - Colour contrast
 - Colour meaning
 - Etc
 - Etc

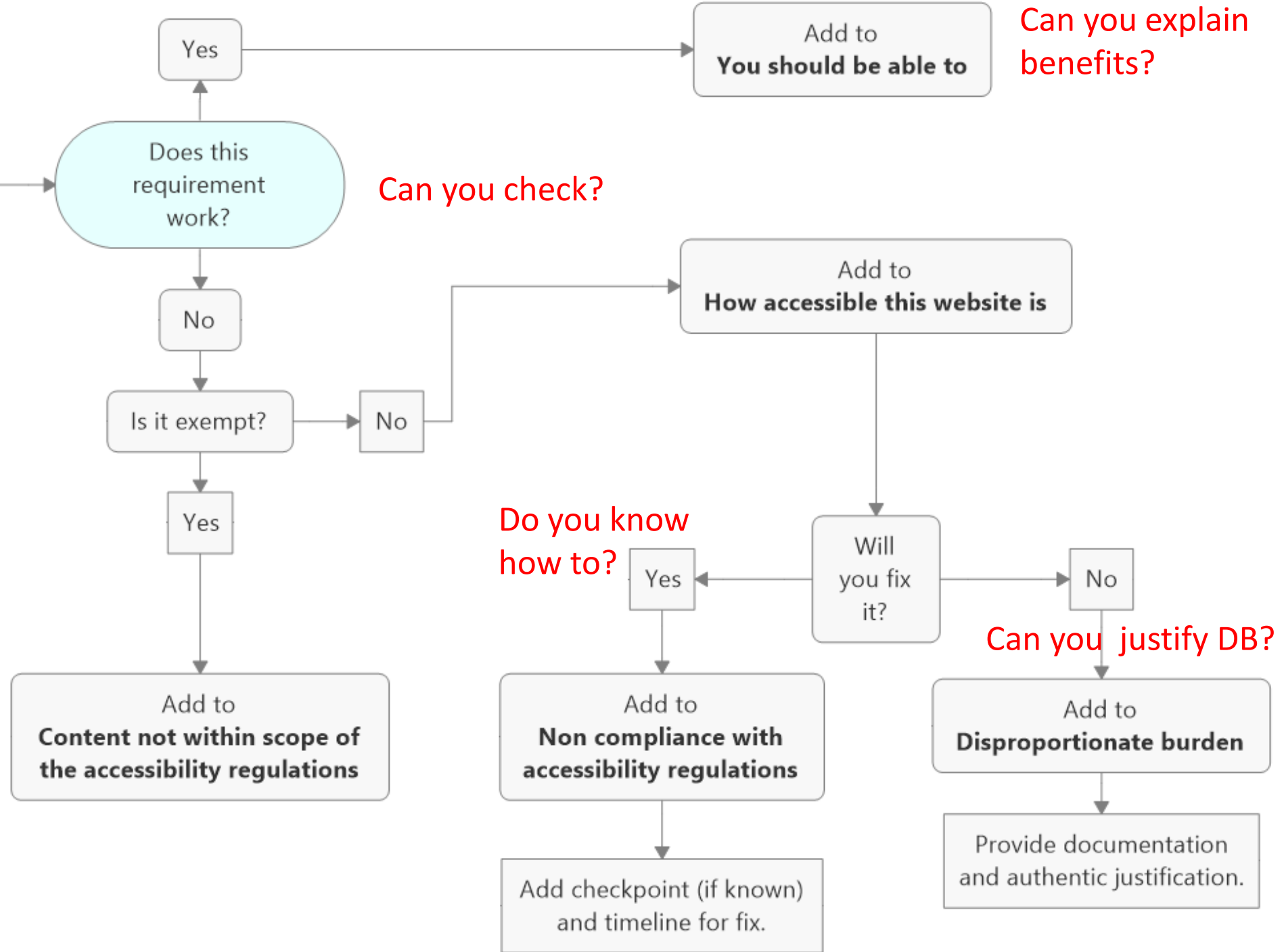
[Full list of criteria](#)
[GDS Basic check](#)
[Basic check with reflection/prioritisation](#)



Do you know?

- Testable criteria**
- Focus is visible
 - Keyboard operable
 - Page structure
 - Reflow & magnification
 - Page titles
 - Image descriptions
 - Link text appearance
 - Link text description
 - Colour contrast
 - Colour meaning
 - Etc
 - Etc

[Full list of criteria](#)
[GDS Basic check](#)
[Basic check with reflection/prioritisation](#)



What happens if we don't?

- Government Digital Services will use automated processes to sample a large number of external websites.
- Sub sample for 'deep dive' manual testing (including requesting access to VLEs and relevant* internal systems).
- Where failings are found advice and guidance will be given on how to improve.
- If improvements are not forthcoming you could be referred to the Equality and Human Rights Commission.

* Relevant = developed or substantially updated since Sept 23rd 2018.
(Older sites are exempt until 'substantially updated'.

No. It isn't defined....)



[This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)


60 second vulnerability

12.—(1) A failure by a public sector body to comply with the accessibility requirement is to be treated as a **failure to make a reasonable adjustment.**

(2) A failure by a public sector body to provide a satisfactory response to a request to provide information in an accessible format, pursuant to regulation 13(2) ... is to be treated as a **failure to make a reasonable adjustment**.

(3) A “failure to make a reasonable adjustment” in this regulation means a failure to make a reasonable adjustment for the purposes of—

- (a) sections 20, 21 and 29 of the Equality Act 2010; or
- (b) sections 19 to 21 and 21B to 21E of the Disability Discrimination Act 1995([13](#)).



“I understand you’ve been involved in an accident that wasn’t your fault.”

The flip side of compliance

Digital accessibility means

- Providing systems and content that
 - Make students more productive,
 - Make students more independent,
 - Reduce support requirements,
 - Lead to better learning outcomes
- Improved return on investment by alerting staff and students to existing inbuilt accessibility features in browsers, Word documents, PDFs, e-books.
- Legislative imperative to improve staff digital skills.



What is there not to like?

- Fewer barriers to achievement
- More digitally savvy staff and learners with potentially improved student outcomes.
- Opportunity to improve support for more complex needs at no extra cost by reducing 'firefighting' support needs.
- It's good for you - even if it tastes bitter at first.



[This Photo](#) by Unknown Author is licensed under [CC BY-NC-ND](#)

Driven from the top

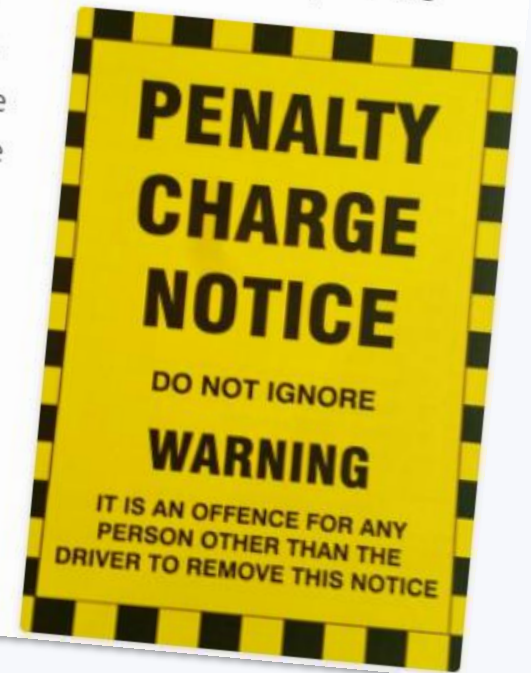
- Budget implications
- Quality assurance
- Justifiable compromises
- Procedures and policies
- Training and development
- Job descriptions

*There's a lot of activity going on in organisations to prepare for the web accessibility regulations. Alistar McNaught examines why appropriate **ownership of the activity** is vital.*

We have all been in the situation. The very urgent parcel that needs to catch the post. The unexpected traffic jams on the way to the post office. Five minutes before the post goes and the only legal parking is six minutes' walk away. The double yellow lines outside the shop are tantalisingly empty. You park the car right outside the post office and run in, instructing your passenger to move the car if a traffic warden appears. When you return there is a large yellow sticker on the windscreen and a traffic warden disappearing into the distance. You turn to the passenger.

"I told you to move the car if a warden came!"

"Sorry dad," your seven-year-old replies.



<https://accessibility.jiscinvolve.org>

Who's in charge?

The requirement	The role?
Procuring accessible tools	
Procuring accessible content	
Implementing accessible platforms (eg template choices, branding, navigation)	
Creating accessible content – VLE pages, documents, presentations, videos.	
Training staff	
Informing students	
Quality assuring	
Implementing assistive technologies	

What next?

- Read the Accessibility sections of the AoC / ufi ebook on [post Covid ed tech strategy with no-one left behind](#).
- Join the Jiscmail list for [Digital Accessibility Regulations](#) or attend [Jisc Accessibility Clinics](#) (free webinars – first Wednesday of the month 1230-1330). Join the [Jisc accessibility Teams site](#).
- Explore the detailed [Accessibility Toolkit](#) put together by the Digital Accessibility Working Group on the LexDis website.
- Explore support offerings. AbilityNet provide a [specific FE/HE support bundle](#) including technical auditing, accessibility statement support and mapping the student experience. [McNaught consultancy](#) and [AllAble](#) both provide specific support on writing accessibility statements.
- Look holistically at your approach to accessibility and determine where you are on the [accessibility maturity model](#).

Thankyou

Alistair McNaught Consultancy Ltd

<https://tiny.cc/amcnltd>

enquiries@alistairmcnaught.co.uk

Twitter - @alistairm

07599201611