

Accessibility Advisory Board

Annual Report 2020–2021

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Message from the Chair

The Accessibility Advisory Board saw many changes in 2020–2021.

Our new board continues to represent a wide range of identities, backgrounds, and lived experiences. This allows us to bring many different points of view to the issues that affect Nova Scotians with disabilities, including Deaf and/or neurodivergent persons. In February 2021, we were pleased to welcome four new members to the board.

I am pleased to have served on the original board. I am proud of the fact that from day one we made sure we talked to people across the province when we were developing accessibility standards. I am also proud that we raised awareness about the rights of persons with disabilities and the barriers that keep them from fully participating in society. We sincerely thank the outgoing board chair and members for their service and dedication to this important work.

Standards

Standards are rules, like laws, that must be followed.

One of the board's responsibilities is to recommend standards in the areas of built environment, education, employment, goods and services, information and communication, and transportation. These standards will remove the barriers people with disabilities currently face in those areas. It is envisioned that accessibility standards will be implemented through a range of regulatory and non-regulatory instruments.

Right now, we have two committees working on the topic areas of built environment and education. During this past year, those committees did the following:

The Built Environment Standard Development Committee presented their first phase of recommendations to the board in July 2020. We then passed those recommendations to the Minister of Justice in August 2020. The committee is working on a second phase of recommendations, which we will pass on to the minister in 2021–2022.

The Education Standard Development Committee also submitted its first phase of recommendations, which we passed on to the Minister of Justice

in summer 2020. The committee has started work on their second phase of recommendations for an education standard and will submit the final recommendations to us in 2021–2022.

In 2021-2022, the board will be ready to start work on developing a standard for a third topic area. We recommended to the Minister of Justice that the topic be employment. We will recommend a fourth area in 2021–2022. We look forward to government rolling out these standards and the positive impacts they will have on making Nova Scotia accessible by 2030.

The Year Ahead

In the coming year, the board will continue to support the development of standards, the awareness campaign, monitoring and evaluating standards, and the work of ensuring Nova Scotia is complying with the standards (following the rules).

We will also continue keep the Minister of Justice aware of issues that are affecting Nova Scotians with disabilities, and to give the minister advice when it is appropriate.

I want to thank all our stakeholders and partners for their support in the past year. I also sincerely thank each of the board members, both past and current, for their dedication to this important work.

In 2020–2021, Gerry Post, who was the first executive director of the Accessibility Directorate, retired. We thank Gerry for his exceptional leadership in establishing the Accessibility Directorate and the Accessibility Advisory Board. On behalf of the board, I also want to thank the staff at the Accessibility Directorate for their tremendous support and continued effort to improve accessibility in Nova Scotia.

Sincerely,

Rosalind Penfound

Chair of the Accessibility Advisory Board

Accessibility Advisory Board Values

The Accessibility Advisory Board (the board) follows these values while doing our work:

First Voice

The board makes first voice a priority. That means we recognize that persons with disabilities, including Deaf and/or neurodivergent persons, are experts on the topic of accessibility. Our work is guided by their lived experience and professional knowledge.

*A person who is neurodivergent has a brain that processes, learns, and/or behaves differently from what is considered “typical.”

Respect

We ensure members of the board are respectful and considerate to each other and to everyone the board works with. We encourage free and frank discussions and are open to different points of view.

Human Rights

The board believes accessibility is a human right. That is the basis for our work as champions for Nova Scotians with disabilities. We are committed to ensuring that equal rights are granted to all Nova Scotians, as established in the Canadian Charter of Rights and Freedoms.

Diversity

We recognize the full range of disabilities. We also understand that a person’s identity and life circumstances/experiences can overlap with their disability to create barriers that keep them from participating in society. The board is mindful that we work for all Nova Scotians and look for solutions that work for people with a diversity of abilities and disabilities, as well as backgrounds. We also recognize that our stakeholders, including government, private business, and community members, have different interests in this topic.

Collaboration

The board encourages people from different sectors with different interests to all work together, recognizing that persons with disabilities have diverse lived experiences.

Innovation

We believe we must be creative, responsive, and flexible in order to improve accessibility. The board looks at both existing and new research on this subject when doing our work.

Accessibility Advisory Board

Board Priorities

The Accessibility Advisory Board has six priorities:

- Board Operations
- Standards Development
- Government of Nova Scotia Accessibility Plan
- Awareness and Communication
- Collaboration and Support
- Monitoring and Evaluation

Board Mandate

The board was established in 2018, as required under the Accessibility Act. Our job is to provide advice and recommendations about accessibility in Nova Scotia to the Minister of Justice. That means we

- suggest different ways the government can achieve accessibility, such as measures, policies, practices, and requirements
- review what the government is currently doing and decide if it is in line with the Accessibility Act
- recommend in which order standards should be developed, and set timelines for when they should be put into action
- set long-term goals that can be achieved under the act for the purpose of the act

Board Decision Making

In 2020–2021, the board adopted a consensus decision-making model. See appendix A for a description of how this model works. This tool will help us make decisions when board members do not all agree with each other.

Board Membership

The board has up to 12 members who serve three-year terms. The majority of members are persons who identify as having a disability. Members are from different areas of the province and some represent groups, businesses, and organizations that will need to comply with the accessibility standards. (See below for more information about what an “accessibility standard” is.)

In January 2021, the terms of most board members ended. The full list of members who served from April 2020 to January 2021 is in the Accessibility Advisory Board Annual Report 2019–2020.

The board made great efforts to recruit new members and put a priority on promoting or recruiting persons with diverse backgrounds and experiences. As a result, close to 100 people applied. In February 2021, a new board was appointed, which included a mix of reappointed and newly appointed members.

Accessibility Advisory Board members as appointed in February 2021:

Rosalind Penfound, Chair	Dartmouth	Reappointed
David Caswell, Vice Chair	Waverley	Reappointed
Anne Sinclair	Halifax	Reappointed
Cynthia Bruce	Kentville	Reappointed
Marcie Shwery-Stanley	Sydney	Reappointed
Linda Campbell	Halifax	Appointed in November 2019
Andrew Jantzen	Halifax	Newly appointed
Birgit Elssner	Wolfville	Newly appointed
Ellen Johnson	Bridgewater	Newly appointed
Jenny-Rachel Lind	New Waterford	Newly appointed

We had two vacancies on the board in February 2021 and continue our efforts to recruit members from diverse backgrounds and experiences. If you are interested in serving on the board, you can apply any time by visiting:

https://novascotia.ca/exec_council/abc/



Rosalind Penfound,
Chair



Linda Campbell



David Caswell,
Vice Chair



Andrew Jantzen



Anne Sinclair



Birgit Elssner



Cynthia Bruce



Ellen Johnson



Marcie Shwery-Stanley



Jenny-Rachel Lind

We extend a heartfelt thank you to the outgoing members of the original board for their outstanding service to achieving accessibility in Nova Scotia: Barry Abbott, Douglas Foster, Alexander Peeler (deceased), Warren (Gus) Reed, and Kevin Russell.

2020–2021 Activities

The board met 12 times in 2020–2021. Meetings were held online because of COVID-19 restrictions. You can read the meeting summaries on the [Accessibility Directorate website](#). Additionally, we held three welcome sessions for new and returning board members in the spring of 2021.

In 2020–2021, the board continued to develop our workplan. We were also active in the following areas:

Accessibility Standards Development

Nova Scotia has more persons with disabilities than any other province in Canada. Having a disability can make it difficult for a person to fully participate in society. That’s why Nova Scotia has a goal of being accessible for persons with disabilities by 2030.

We are helping the province reach that goal by recommending *standards that will make the province more accessible.

* “Standards” are rules, just like laws, that must be followed to ensure that the province is accessible.”

The board will be recommending standards on many topics. The focus now is on the built environment and education. Two committees are currently researching recommendations on these topics for us.

Here is an update of the committees’ work in 2020–2021:

1. * **Built Environment Standard Development Committee**

The Built Environment Standard Development Committee met every six weeks in 2020–2021.

* The built environment includes buildings, sidewalks, parking lots, and human-made outdoor spaces such as parks.

The committee is developing standard recommendations in two phases.

In Phase 1, they made general recommendations on ways to improve accessibility in existing building codes and safety guidelines for built environment areas such as parking, pedestrian facilities, exterior approaches, site selection, wayfinding and signage, washrooms, insides of buildings, emergency systems, housing and residences, and parks and recreation.

The board submitted the committee's Phase 1 recommendations to the Minister of Justice in August 2020 and released them to the public in October 2020. View the Phase 1 recommendations [here](#).

In Phase 2, the committee provided more technical, detailed recommendations on ways to update and improve or introduce new codes and guidelines for the built environment. The committee shared their Phase 2 recommendations with the board in the fall of 2020 and held public consultations in March 2021. We will submit these recommendations to the Minister of Justice in 2021–2022.

2. Education Standard Development Committee

This committee held seven meetings in 2020–2021.

Recommendations are being developed by the committee in two phases. In Phase 1, the committee looked at the most important changes Nova Scotia's education system must make in order for all Nova Scotians to be able to access education. Their recommendations were in the areas of capacity building, teaching and learning, accessibility services, communication and navigation, research, and accountability.

The committee consulted over 700 Nova Scotians to develop these recommendations. This included students, parents, and individuals working in education. The committee also looked at information from other education systems and received presentations and resources from education experts.

The board submitted the committee's Phase 1 recommendations to the Minister of Justice in summer 2020 and released them to the public in January 2021. View the Phase 1 recommendations [here](#).

The board proposed that the Phase 1 recommendations be used to update provincial guidelines or as a provincial charter on accessible education. We also proposed that public education entities should have to base their accessibility plans on these guidelines.

In the fall of 2020, the committee began working on their Phase 2 recommendations, which build on the Phase 1 recommendations by making them more specific and detailed. Topic areas include admissions, curricula, learning resources, instruction, accessibility services, transition planning, navigation, and professional learning.

Now that work is well underway to develop standards on these first two topics, the board has made a recommendation to the Minister of Justice that we are ready to start on a third standard area in 2021–2022, and the topic should be employment. We will also recommend a fourth topic for standard development later in the year.

Awareness Campaign

In 2020–2021, the board continued to provide the Accessibility Directorate with advice on a multi-year awareness campaign that will deliver several messages to the public about persons with disabilities and accessibility. The campaign will

- highlight barriers that exist for persons with disabilities, including Deaf and/or neurodivergent persons
- help people understand that accessibility is a human right
- provide information about the Accessibility Act, government’s commitment to accessibility, and what progress government has made on that commitment

The Accessibility Directorate used input from the board and other stakeholders, as well as the first voice of persons with disabilities, to create the campaign strategy and materials. The directorate consulted with the board while developing the campaign and involved us in reviewing and recommending the campaign’s strategy, design concepts, and materials.

In 2021–2022, the board will continue to provide our points of view, knowledge, and recommendations about the campaign as it is finalized to ensure it continues to deliver its messages to the greatest number of Nova Scotians.

Collaboration with Government and Community

The board works in collaboration with the Accessibility Directorate and stays connected with government departments that play a role in making Nova Scotia accessible, as well as with organizations and individuals who work on issues related to disability and accessibility. In 2020–2021, we attended presentations made by the following community-based organizations and government departments:

Community-based organizations

- Suzanne Rent and Sherry Costa-Lorenz, on behalf of Easter Seals and Nova Scotia League for Equal Opportunities, presented the results of the “Not Without Us Project.” This research project identified the major challenges and barriers faced by women with disabilities who experience domestic violence.

Government departments

- Tracey Taweel, deputy minister of the Department of Community Services, and Maria Medioli, executive director of the Disability Support Program, shared an overview of the Adult Service Programs with a focus on day programming.

During the year, the board also met with the Deputy Minister of Justice and the Minister of Justice to share advice on important matters relating to accessibility.

Along with to these presentations, we also received information about, and made recommendations on, the following reports and plans:

- Chair’s Accountability Report for the Department of Justice Agency, Board, and Commission Diversity Recruitment and Inclusion Strategy
- Government of Nova Scotia’s Accessibility Plan 2018–2021
- Develop Nova Scotia – Peggy’s Cove Infrastructure Improvement Strategy
- Nova Scotia Accessibility Act Review

Compliance and Enforcement Working Group

Certain sectors will need to comply with the standards when they become law. In 2020–2021, the Accessibility Directorate gave a presentation to the board on how they will ensure those sectors are complying. Their approach would include using the first voice of persons with disabilities along with input from the sectors themselves.

Board members supported the proposed approach for a compliance and enforcement working group. The members of this group represent first voice, the sectors that have to comply, and Government of Nova Scotia staff.

COVID-19 Impacts on Persons with Disabilities

The coronavirus has affected persons with disabilities, as well as Deaf and neurodivergent persons, more than many other group.

In spring 2020, the Accessibility Directorate invited the board to tell them about the barriers to accessibility that Nova Scotians with disabilities, as well as Deaf and/or neurodivergent Nova Scotians, were experiencing because of COVID-19.

The directorate shared information they received from the community with the appropriate government departments for their response.

In fall 2020, the directorate presented the board with their report COVID-19: Responding to the Needs of Nova Scotians with Disabilities. We encouraged government to continue to be aware of the barriers that Nova Scotians with disabilities, including Deaf and/or neurodivergent Nova Scotians, are experiencing because of COVID-19.

The board also recognized that COVID-19 was making it difficult for prescribed public sector bodies (those that are required to follow accessibility rules and timelines) to get their accessibility advisory committees and accessibility plans formed on time. In January 2021, government gave them a one-year extension to get this work done.

Monitoring and Evaluation

In 2020–2021, the Accessibility Directorate continued to update the board on Nova Scotia's progress toward reaching the province's accessibility goals. This was in addition to the processes we are developing to measure this progress.

The board also supported, in principle, the short- and medium-term results for the [Access By Design 2030](#) strategy. An independent consultant presented a sample dashboard that could report on this progress. Board members made a point of saying that all reporting methods must be fully accessible.

The independent consultant also shared the results of an evaluation they did on the processes we are using to develop built environment and education standards. The overall results were positive but showed some areas could be strengthened. The consultant recommended we do the following:

1. Continue to actively recruit standard development committee members who represent a diversity of people with disabilities. While 50 per cent of each committee is made up of people who have disabilities, more diversity could be represented with respect to type and area of disability, race and ethnicity, and socio-economic background. This will help ensure the standards reflect the range of experiences of persons with disabilities.
2. Find ways to continually help people with disabilities to actively participate in meeting discussions. For some, participating on this type of committee is new and intimidating. They need to know their voices and participation are important and valued.
3. Ensure committee members are thoroughly trained so they know how to assess different types of information that can be used to develop the standards.
4. Be sure to include mental health as a type of disability when discussing potential standards.
5. Use many different ways to collect feedback on the draft standards recommendations. This will ensure we are getting input from a broad cross-section of persons with disabilities.
6. Continue to hold a mix of online and in-person meetings once the coronavirus pandemic is over. Online meetings help increase accessibility by eliminating travel time.

These and other recommendations will strengthen the standards development processes now and in the future.

Looking Ahead to 2021–2022

In 2021–2022, the Accessibility Advisory Board will receive and review the second phase of standards recommendations from the Built Environment Standard Development Committee and the Education Standard Development Committee. We will approve these recommendations before sending them on to the Minister of Justice.

The board will work with the Accessibility Directorate to create a new standard development committee on the topic of employment. We will also recommend a fourth area for standard development to the Minister of Justice.

We will continue to help measure and evaluate how the province is doing in reaching its accessibility goals. We will also continue our work to engage and educate Nova Scotians with disabilities, impacted sectors, and stakeholders about the board's standard development work.

In order to protect the health of our members and staff from COVID-19, the board may continue to meet online in 2021–2022. This will also ensure all board members can fully participate. We will also continue to invite senior government leaders to share updates with us on how they are making their departments more accessible and to discuss issues that affect Nova Scotians with disabilities, including Deaf and/or neurodivergent Nova Scotians.

The board will continue to look for ways to support government and community to contribute to the province's goal of an accessible Nova Scotia by 2030.

Appendix A:

Consensus Decision-making Model

The Accessibility Advisory Board's work is complex and we need to make important decisions at many points along the way.

While we believe in working together in a respectful manner, we also recognize sometimes it is not always possible for members to completely agree on an issue. In those cases, making decisions based on which idea has the most votes is not always the best option. That is why the board recently adopted a consensus decision-making model.

How the model works:

Step 1: Discussion

Board members discuss the issue until everyone understands it and has had an opportunity to be heard. If a member is not present but has provided written input, that will be provided to all other members. Members are encouraged to

1. understand the topic completely, express their viewpoints clearly, and come up with ideas
2. explore available options for a decision and understand each other's views and concerns about the decision
3. put a priority on first voice, and value the experience and expertise of persons with disabilities
4. recognize where they have areas of common ground and bring together diverse ideas to find solutions to disagreements

Step 2: Decision

Each member is asked to express how they feel about the proposed decision by selecting one of the following responses:

1. Absolutely yes, this is the best decision.
2. This is a good decision, which I find acceptable.
3. I'm not enthusiastic, but I can live with this decision.
4. No, I do not agree with this decision and feel we should discuss further or explore other options.

If all members choose responses 1, 2 or 3, and if at least half of all responses are 1 or 2 then the board considers consensus to be reached and a decision made.

Step 3: Revisiting discussion, as required

If consensus is not reached, the board members will revisit Step 1 (Discussion) to determine how to reduce or eliminate the concerns of those who responded with a 3 and/or 4. Then we proceed to Step 2 (Decision) again.

If the members cannot reach consensus through further discussion, we will ask ourselves the following questions:

1. Do we have the right conditions to reach agreement, and, if not, how we can improve them? We will ask the following:
 - Is everyone committed to finding a solution?
 - Does everyone understand the consensus decision-making model?
 - Do members have all the information they need to make a decision?
 - Is this a worthwhile decision to be making?
 - Are the choices being proposed adequate and appropriate?
2. Has the discussion been thorough and honest and does everyone understand the views and issues at hand? If not, we revisit the discussion.
3. Have board members become driven apart by personal opinions or convictions? If so, the chair will encourage members to think about what is motivating their opinion and will also ask that extreme sides of an issue not be discussed. The chair will remind members that we have a shared goal of finding a solution.
4. Does the decision need to be made now?
 - Can it be divided into smaller points that the committee can agree on now, and others that can be deferred?
 - Can it be revisited at a subsequent meeting?

If consensus cannot be reached after following Step 3, the chair may decide to put the issue to a vote (Step 4).

Step 4: Voting

In the unlikely event that consensus cannot be reached through steps 1 to 3, a decision may be made by vote, using the same responses outlined in Step 2.

A vote has passed if

- 75 per cent of responses are 1, 2, or 3, and
- At least half of responses are 1 or 2

