

Accessibility Advisory Board

Annual Report 2021–2022

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Message from the Chair

I am pleased to share this report on work carried out by the Accessibility Advisory Board in 2021–22. We continued to consult with Nova Scotians from a diverse range of backgrounds and sectors about accessibility and the barriers that keep people with disabilities from fully taking part in our society. We met with government departments and community organizations to learn about their work related to accessibility. We also supported work to raise awareness about accessibility, including the Access Includes Everyone campaign launching in 2022–23.

This year, we had three standard development committees:

The Built Environment Standard Development Committee held nine online consultation sessions in spring 2021 to get feedback about its recommendations. After reviewing this feedback and revising its recommendations, the committee sent its final recommendations to the Minister of Justice in September 2021.

The Education Standard Development Committee met with representatives of Nova Scotia's education sector in spring and summer 2021 to learn more about barriers in education and to get feedback on an early draft of its work. It submitted a draft to the board to review in January 2022. In spring 2022, the committee held nine online consultation sessions about its draft recommendations. It plans to review the feedback and share an updated draft with the board in summer 2022.

The Employment Standard Development Committee held its first meeting in February 2022. In March, it held seven consultation sessions to learn more about barriers to accessible employment for people with disabilities.

The board also recommended to the Minister of Justice that goods and services be developed as the fourth standard.

In the coming year, we will continue to support work to develop recommendations on accessibility standards, with four standard development committees in progress. We will continue to work with interested and affected groups and partners in government and community. We will also keep the Minister of Justice aware of issues affecting Nova Scotians with disabilities and to give advice when appropriate.

I wish to thank all Nova Scotians who support our work and everyone who has served on the Accessibility Advisory Board. Your contributions.

Sincerely,

Rosalind Penfound
Chair, Accessibility Advisory Board

About the Accessibility Advisory Board

Our Values

First Voice

People with disabilities are experts on accessibility. Our work is guided by their lived experience and professional knowledge. We make their points of view our priority.

Respect

We must be respectful and considerate to each other. We must also be respectful and considerate to everyone who works with the board. We encourage open and direct discussions. We welcome different points of view.

Human Rights

Accessibility is a human right. We are committed to making sure that all Nova Scotians have the same rights, as stated in the Canadian Charter of Rights and Freedoms.

Diversity

We work for all Nova Scotians. We look for accessibility solutions for people with different abilities, disabilities, and backgrounds. There are many kinds of disabilities. We are mindful that people with disabilities have diverse lived experiences, identities, and circumstances.

Collaboration

We encourage people from different sectors with diverse interests to all work together. We are mindful of the different points of view about accessibility that interested and affected groups hold. These groups include government, business, and community organizations.

Innovation

We must be creative, responsive, and flexible to make Nova Scotia more accessible. Our work considers both well-established and new research on accessibility.

Our Priorities

We have six priorities:

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

Our Mandate

The Accessibility Advisory Board was set up in 2018. The board's creation was required by the Accessibility Act. We offer advice and recommendations about accessibility in Nova Scotia to the Minister of Justice. This includes

- 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

Our Process

We began using a consensus decision-making model in 2020–21. This tool helps us to make sure all views are included when we make decisions. It helps us to make decisions that all board members are comfortable with.

A longer description of the consensus decision-making model can be found in the Appendix of this report.

Our Members

The Accessibility Advisory Board has up to 12 members. Each board member serves on the board for three years.

Most board members are people with disabilities. We all have expertise and experience in many areas of accessibility. We live in communities from across Nova Scotia. Some of us have experience with groups, businesses, and organizations that will need to follow the accessibility standards.

We have made great efforts to recruit new members. In our search for new members, we have worked to include people with diverse backgrounds and experiences.

Accessibility Advisory Board members (As of March 2022)

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	Reappointed
Andrew Jantzen	Halifax	Reappointed
Birgit Elssner	Wolfville	Reappointed
Ellen Johnson	Bridgewater	Reappointed



Rosalind Penfound,
Chair



Cynthia Bruce



Andrew Jantzen



David Caswell,
Vice Chair



Marcie
Shwery-Stanley



Birgit Elssner



Anne Sinclair



Linda Campbell



Ellen Johnson

We thank former board member Jenny-Rachel Lind, who resigned in September 2021, for her contributions to the board.

Applications to the board are accepted on an ongoing basis. If you would like to serve on the board, please [apply online](#).

Our 2021–22 Activities

The Accessibility Advisory Board met 12 times between April 2021 and March 2022. We held meetings online to keep members and guests safe during the COVID-19 pandemic. Summaries of our meetings can be found on the [Accessibility Advisory Board website](#).

In 2021–22, we reviewed our workplan. The workplan is an outline of our priorities. These priorities may change as our work moves forward. The workplan also explains our role according to the Accessibility Act.

We shared ideas about what our workplan should include. One idea was accessible communications. This included training and resources for plain language and guidelines for accessible communications. We asked Accessibility Directorate staff to invite Communications Nova Scotia and Inclusion Nova Scotia to present these topics at future meetings.

We were also active in the areas listed below.

Accessibility Standards Development

Nova Scotia has a higher percentage of people with disabilities than any other province in Canada. There are barriers that can make it hard for people with disabilities to fully take part in society. Our province wants to prevent and remove these kinds of barriers to become accessible, as outlined in [Access by Design 2030](#). This is the strategy that will guide our province toward the goal of becoming accessible by the year 2030. It sets six priority areas to remove barriers and to increase inclusion and accessibility for people with disabilities in Nova Scotia.

The Accessibility Advisory Board is helping by creating standard development committees. The job of these committees is to help us to give advice and recommendations to government about accessibility standards. These standards will become the sets of rules about accessibility in Nova Scotia.

In 2021–22, there were three standard development committees. The committees were focused on the following topics:

- **Built Environment:** making public buildings, sidewalks, and outdoor spaces like parks and beaches accessible for people with disabilities
- **Education:** making the education system accessible for students with disabilities, from early childhood to post-secondary
- **Employment:** making workplaces accessible and supporting people with disabilities to find meaningful employment

The committees are groups of experts. For example, the Education Standard Development Committee includes people with experience in public and private education as well as people who work for the government. Like the Accessibility Advisory Board, most members on the committees are people with disabilities. These committees meet and talk about the barriers that people with disabilities experience. They research ways to remove barriers. They decide as a group what ideas they recommend for making Nova Scotia more accessible.

Applications to join these committees open when they are established. Information about the committees and opportunities to apply is on the [Accessibility Directorate website](#).

Here are updates on the work they did in 2021–22:

Built Environment Standard Development Committee

The Built Environment Standard Development Committee met in April and May 2021. It finished its work later that year.

The committee researched and recommended ways to change and improve Nova Scotia’s built environment so that it is accessible. The built environment includes

- buildings
- sidewalks
- wayfinding and signs
- public washrooms
- parking lots
- human-made outdoor spaces like parks

The Built Environment Standard Development Committee did this work in two phases. Information on Phase 1 can be found in our [2020–2021 annual report](#).

In Phase 2, the committee made detailed and technical recommendations about the built environment. The committee held nine online consultation sessions about its recommendations in spring 2021. Many people took part in these sessions, including people with disabilities, representatives of several sectors, and other members of the public. Finally, the committee shared its recommendations with the board.

A consultation session is a meeting where people give feedback on a draft.

We reviewed feedback from the spring 2021 consultations and revised our recommendations. Over our two summer meetings, we carefully reviewed details of these recommendations. We then sent our final recommendations to the Minister of Justice in September 2021.

The Phase 1 and Phase 2 recommendations can be found on the [Built Environment Standard Development Committee section of the Accessibility Directorate’s website](#). A full summary, a plain language draft, and American Sign Language (ASL) video are available.

Education Standard Development Committee

The Education Standard Development Committee met four times as a full committee in 2021–22. Members of the committee also met in smaller groups several times.

The committee's work focuses on making recommendations for a set of rules that will make sure people with disabilities can access and participate in education opportunities. The committee is making recommendations for

- early years
- public and private schools from primary to grade 12
- universities and colleges
- private career colleges and language schools
- Nova Scotia School for Adult Learning

The Education Standard Development Committee is doing this work in two phases.

In 2020, the board shared the Phase 1 recommendations with the Minister of Justice. These were recommendations for guidelines for the education sectors.

In Phase 2, the committee is making more detailed recommendations for which rules, or standards, should be followed to make sure the education system is accessible for students with disabilities.

In the spring and summer of 2021, the Education Standard Development Committee met with a diverse group of representatives from Nova Scotia's education sectors to learn more about barriers, and to seek their feedback on an early draft of their work.

In January 2022, the committee sent us a draft of their education standard recommendations. We reviewed them and made some suggestions.

In February and March 2022, the committee asked interested and affected Nova Scotians for feedback on draft recommendations for the education standard. Over 200 people took part in nine online sessions and submitted feedback by phone and email. Feedback was thoughtful, detailed, and, overall, positive. The committee plans to review the feedback and share updated recommendations with us by early summer 2022.

The Phase 1 recommendations can be found on the [Education Standard Development Committee section of the Accessibility Directorate's website](#).

Employment Standard Development Committee

Recruitment for the Employment Standard Development Committee took place in 2021–22. Forty applications were received between June and August 2021. The Accessibility Advisory Board recommended 19 people to the Minister of Justice for the committee.

The Employment Standard Development Committee members were announced on December 3, 2021, International Day for Persons with Disabilities.

The Employment Standard Development Committee held its first meeting in February 2022. It met again at the end of March.

The committee's work focuses on preventing and removing barriers to employment for people with disabilities. The committee is looking at barriers in many areas, including

- career planning and job searching
- recruitment and hiring (finding the right person to fill a job)
- supports and services in the workplace
- on-the-job training and career advancement (reaching new career goals and job opportunities)

Consultations were held in March 2022 on barriers to accessible employment for people with disabilities. Seven sessions were held with the following groups:

- organizations representing people with disabilities or direct representatives of people with disabilities, such as a caregiver or support person (one session)
- organizations providing employment support services or programs for people with disabilities (one session)
- people with disabilities (three sessions)
- employers (public and private) and public sector representatives (two sessions)

Recommendation for a Fourth Standard

In September 2021, the Accessibility Directorate gave us information to help us choose a topic to develop as the fourth standard. Using the consensus decision-making model, we agreed to recommend to the Minister of Justice that a goods and services standard be developed.

Awareness Campaign

Awareness and Capacity Building is one of the six priorities outlined in Access by Design 2030.

The Accessibility Directorate and Communications Nova Scotia worked together on the Access Includes Everyone accessibility awareness campaign. The campaign's strategy and materials were created using feedback from us and from community groups. This feedback included First Voice perspectives.

In September 2021, directorate staff updated us on the awareness campaign's progress. Directorate staff presented us with two draft video advertisements that will be used on television and on the internet, with descriptive audio. We were asked to give them feedback on the creative content. Staff shared with us next steps and timelines. In March 2022, the Minister of Justice approved the campaign for launch in early 2022–23.

Compliance and Enforcement Working Group

Most sectors will need to follow the accessibility standards when they become law. This is called compliance. There must be ways to make sure the Accessibility Act and accessibility standards are followed. This is called enforcement. Compliance and Enforcement is one of the six priorities outlined in Access by Design 2030.

In June 2021, the Accessibility Directorate updated us on draft recommendations from the Compliance and Enforcement Working Group. Its role is to work together to develop the Compliance and Enforcement framework for the Accessibility Act. The working group included people with disabilities, Government of Nova Scotia staff, and representatives of affected sectors. These recommendations included

- making sure the process makes education its priority
- making sure there are different ways to find out when standards are not being followed (this is called non-compliance)
- finding ways to work with those not following the standards (this is called a collaborative approach to non-compliance)
- giving out penalties only after the previous steps have been tried without success
- noting when standards are not being followed and what actions were taken

Directorate staff confirmed there will likely be different inspectors for different standard areas. We discussed an approach that focuses on people first. We also talked about how communities that are affected will be involved in creating the regulations.

In November 2021, directorate staff shared with us the plan to carry out the Compliance and Enforcement framework. This framework explains each step in the compliance process. We discussed the plan and offered feedback. We noted the need for a balanced approach focused on both education and penalties.

COVID-19 Impacts on People with Disabilities

People with disabilities have been affected by the pandemic more than people who do not have disabilities. Many barriers that existed before 2020 were made worse during the pandemic.

In spring 2021, we agreed to keep COVID-19 as a standing item on our 2021–22 monthly board meeting agendas. We received updates from the Accessibility Directorate about work being done across government in response to COVID. We provided advice on issues affecting people with disabilities.

We provided feedback to help improve accessibility for people with disabilities on the following topics:

- social distancing issues for people who are Blind or Partially Sighted
- COVID-19 testing
- COVID-19 vaccine roll-out
- proof of vaccination policy
- plain language COVID-19 information
- school closures and supports
- easing of public health restrictions

In March 2022, Accessibility Directorate staff updated us that they would be engaging with disability organizations to learn how the COVID-19 pandemic has affected people with disabilities. We will continue to follow this work in 2022–23.

Monitoring and Evaluation

Monitoring and Evaluation is one of the six priorities outlined in Access by Design 2030.

Accessibility Directorate staff updated us regularly about monitoring and evaluating Access by Design 2030 processes and progress. In August 2021, they shared findings from annual public opinion polling on accessibility and disability. We learned that awareness of accessibility as a human right is slowly increasing, and that barriers in the built environment and in attitudes continue to be the most common experienced by people with disabilities.

In October 2021, the findings from a check-in survey of Cohort 1 Prescribed Public Sector Bodies (PPSBs) were presented to the Accessibility Advisory Board by Accessibility Directorate staff. The check in focused on progress meeting legislated requirements, use and value of resources developed by the Accessibility Directorate for PPSBs, and additional supports that would be useful. We agreed with one of the survey findings that developing structured networking and collaboration opportunities among PPSBs would be useful. We also suggested that the directorate should follow up with the PPSBs that did not respond to the check-in.

Prescribed Public Sector Bodies are organizations that, under the Accessibility Act, are required to develop accessibility plans and to have accessibility advisory committees.

They include municipalities and villages, universities and the Nova Scotia Community College (NSCC), regional libraries, the IWK Health Centre, and government agencies such as the Nova Scotia Museum.

In February 2022, Accessibility Directorate staff updated us about how they are tracking key actions in the Access by Design 2030 strategy. We learned about the initiatives and committees that the directorate is involved in. Most of the partners in these initiatives are PPSBs, other government departments, and organizations serving people with disabilities.

Collaboration with Government and Community

In 2021–22, we met with multiple government and community organizations to discuss key topics related to accessibility and disability. Minister of Justice Brad Johns spoke to the board about his commitment to our work and his personal connection to disability. He committed to filling vacant board positions.

We received presentations from the Department of Health and Wellness on the COVID-19 vaccination roll-out and new drive-through and at-home vaccine options, and from the Office of Equity and Anti-Racism on their legislation, the Land Titles Initiative, and other projects. We also met with the Department of Communities, Culture, Tourism and Heritage to learn about the delivery and impact of the Business Access-Ability and Community Access-Ability grant programs, and with the Department of Housing and Municipal Affairs to learn about recommendations on accessible housing from the Review of Affordable Housing Commission.

We met with Dr. Katie Aubrecht to discuss her work on the Accessibility Act Review. She was appointed in October 2021 to complete the first independent review of the Accessibility Act. The review will give government and Nova Scotians valuable feedback on what changes need to be made to make sure the province is on the right path to becoming accessible by 2030.

We also met with Dalhousie University and the Town of Kentville to learn about their accessibility plans and committees. We also received a presentation from Accessibility Standards Canada on their strategic plan and priorities.

Looking Ahead to 2022–23

In 2022–23, the Accessibility Advisory Board will work with the Accessibility Directorate and the Executive Council Office to fill the vacancies on our board as soon as possible.

We will work with the Accessibility Directorate to develop a new standard development committee. We will also recommend the next areas for standard development to the Minister of Justice.

We will keep helping to check on progress made by the province toward its accessibility goals.

We will keep sharing our work on developing standards with Nova Scotians with disabilities, with those working in affected sectors, and other interested and affected groups.

We will keep asking senior government leaders to show us how they are making their departments more accessible. We will keep discussing with them the issues that affect Nova Scotians with disabilities.

We will keep supporting the work of government and community to make Nova Scotia accessible by 2030.

Appendix: Consensus Decision-making Model

The Accessibility Advisory Board's work is complex. 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 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 uses a consensus decision-making model.

Here is how it works in four steps.

Step 1: Discussion

Board members discuss the issue until everyone understands it and has had a chance to be heard. If a member is not at the meeting (in person or virtually) but has written to the board to share their ideas, that information will be shared with all members.

Members are encouraged to

- understand the topic fully, express their viewpoints clearly, and come up with ideas
- explore options for a decision, and understand each other's views and concerns about it
- put a priority on First Voice, and value the experience and expertise of people with disabilities
- 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 choosing one of the following responses:

1. Absolutely yes, this is the best decision.
2. This is a good decision that 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 I feel we should discuss more 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 Needed)

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

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

Do we have the right conditions to reach agreement, and, if not, how can we improve them?

Has the discussion been thorough and honest?

Have board members become driven apart by personal opinions or beliefs?

Does the final decision need to be made now?

Step 4: Voting

If consensus cannot be reached after following Step 3 (Revisiting Discussion, As Needed), the chair may decide to move to voting. A decision may be reached by voting using the same responses outlined in Step 2 (Decision).

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