

**18<sup>th</sup> November 2018**

## **Regulatory & Governance Committee**

### **The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018**

**Report of:** *Steve Summers – Chief Operating Officer*

**Wards Affected:** *All*

**This report is:** *Public*

#### **1. Executive Summary**

- 1.1 This report is to update Members on The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 and the proposed actions that the Council will be taking to meet the regulations.

#### **2. Recommendation**

- 2.1 That the Committee notes The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 and agrees the proposed actions of the Council as set out in 4.6 below.**

#### **3. Introduction and Background**

- 3.1 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 came into effect on 23 September 2018. The new law has been introduced to make all Public Sector websites and apps more accessible. It puts an obligation on Public Sector organisations to provide accessible websites and mobile apps, and to provide details of that in an accessibility statement.

- 3.2 The key dates of the new regulations are set out below;

- **September 2018:** Directive transposed into UK law;
- **September 2019:** new websites of Public Sector bodies created after 22 September 2018 will need to comply with the requirements from 22 September 2019;
- **September 2020:** All Public Sector websites must be accessible;
- **June 2021:** All mobile apps must be accessible.

## **4. Issue, Options and Analysis of Options**

- 4.1 All websites and slightly later mobile applications are covered however there are some exceptions though and the categories of exception include:
- "Disproportionate burden", so if the cost out-weighs the benefit this could be stated as an exception
  - Some organisations such as schools and non-governmental organisations only have to apply this to certain areas
  - Some content, such as documents and video, has a grace period before the rules apply
  - Intranet and extranet content published before 23 September 2019, until those websites undergo a substantial revision
  - 3rd Party content not under the control of the Public Sector body.
- 4.2 The accessibility statement is intended to provide the public with details of the site's accessibility, including saying which areas or features are not covered or currently accessible. It should be seen as a living document that gets updated as the site does. The first step when creating an accessibility statement is knowing what the current accessibility issues are.
- 4.3 The second step is to fix as many issues as possible, so the accessibility statement does not become a critical document.
- 4.4 The official format for the accessibility statement has not been finalised yet, but hopefully there will be some flexibility to make it useful to the people who need it. For example, listing issues by task (e.g. paying a bill) and how people can accomplish their task.
- 4.5 With all authorities being required to conform to these regulations, at the last meeting of the Essex Online Partnership web group a desire to work together and discuss the way forward was confirmed. This would include:
- Identifying partner's current position and their list of websites.
  - Looking into developing a generic accessibility statement for individual authority amendment. The group could consider looking at the highest-rated local authority websites for accessibility; such as Bracknell Forest; and look to adapt their accessibility statement.
  - Extracting the guidance and adapting for all websites.
  - Auditing the websites through a single tool. This could be through working with a University or procuring an external audit.

- All partners to share their list of websites and mobile applications; as well as their current position for meeting the Accessibility Regulations 2018.

4.6 The list of actions that have been agreed as set out below:

- Add to Corporate Project Register;
- Create list of current and planned websites, Intranet and mobile apps;
- Initial review of each site to better understand our current position and how to meet regulation;
- Review new Content Management Systems/Websites to better understand how regulation can be met and gather costs for budget planning;
- Agree level of accessibility/usability testing based on level of service and gather costs for budget planning;
- Discuss with third party website providers their intentions for meeting regulation;
- Create Accessibility Statement for each site.

## **5. Reasons for Recommendation**

5.1 To ensure the Councils website conforms with legislation.

## **6. Consultation**

6.1 None

## **7. References to Corporate Plan**

7.1 Continue to improve our governance arrangements leading to faster more effective decision-making.

## **8. Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer**

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8.1 It is currently not known what specific costs would be required and this will be worked through as part of the Actions included in the report. However It is expected that resources will be met within the current establishment of the Medium Term Financial Plan.

## **Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer/Head of Legal Services**

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- 8.2 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018 ('the Regulations') were introduced to make public sector websites and apps more accessible, provided that this would be proportionate, particularly to persons with disabilities. A failure to comply with the Regulations' requirements will be treated as a failure to make a reasonable adjustment, contrary to the Equality Act 2010.
- 8.3 The recommendations outlined in this report are lawful and will help ensure the Council can meet its statutory obligations within the required timeframe.

### **Other Implications.**

- 8.4 None

## **9 Background Papers**

- 9.1 The Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

## **10 Appendices to this report**

- 10.1 None.

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