

Part Three: Recommendations for Improving Communication Access in Federally Regulated Contexts

Report from the Inclusive Design Research Centre

Project: Communication Access within the Accessible Canada Act

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# Introduction

This Recommendations document is the third report of the Communication Access within the Accessible Canada Act project (Communication Access project). This report compiles all the recommendations from the first two reports of the project:

1. *Framing of Communication Access Approaches and Supports for in Federally Regulated Contexts* and *Scope of Communication Access Approaches and*
2. *Supports for in Federally Regulated Contexts*.

Our research builds on research carried out by Communication Disabilities Access Canada (CDAC) and extends and supports recommendations previously tabled by CDAC. These recommendations remain valuable and necessary, we have included them in an appendix so that they can be easily referenced and reviewed.

The goal of Communication Access project is to inform development of communication access standards and regulations under the Accessible Canada Act. The Accessible Canada Act specifically lists communication as an area where barriers will be identified, removed and prevented.

The Intention of this document is to create a single, easy, resource for recommendations from our and CDAC’s research in the communication access field that may be used by standards development committees and others interested in improving and removing communication access barriers.

# Communication Access project recommendations, March 2023

In our research which included conversations and interviews with advisors, other experts and clinicians in the field and individuals with lived experience of disabilities, we developed 26 recommendations that complement and support the existing recommendations from CDAC provided in the appendix. The recommendations are organized by themes that were recurring in our research.

## Attitudinal Barriers

### Training and awareness in communication access

1. Provide required training programs for *all* public servants and government members related to communication access approaches.
2. Build awareness and understanding that people with disabilities have differences in how they like to communicate. People with the same disability are going to communicate in different ways and those ways should be considered valid in all contexts.
3. Create training on communication strategies that are meaningful for people with communication disabilities in “accessibility training” programs. Training should be based on meaningful communication access policies and practices and beyond respectful language.
4. Create training specific to facilitating communication for people who have unclear speech (speech to speech) and/or use an AAC device. For example, Individuals with communication disabilities need to know what options are available for telephone connections.
5. There should be a handbook on assisting people with communication disabilities made available across government services for employees and professionals.

### Time for communication

1. Provide adequate time for all forms and methods of communication including online interactions which can “time-out” without adequate warning or time to respond.

**Respect the individual**

1. Ensure that communication is mutually understood.
2. Implement community registries for residents with communication disorders and intersecting neurological conditions that can be accessed by service employees, in particular critical services such as border services and policing.

## Accessibility

**Improve transparency and clarity of available supports**

1. Information about available services and supports should be readily available for staff and visitors in all interaction modes (e.g., face to face, web chat, telephone, etc.)
2. Information about available services and supports should be easily found by direct links from the home page of the related service’s website.

**Include supports for writing**

1. Include options for written requirements found in forms, signatures, and other documents that require individuals to fill with information. Have alternative ways to express written requirements including accessible forms (e.g., accessed through keyboard or switches), alternate signature options, or human support options (recognize support persons as valid supports in an individual's process of completing tasks).

**Identify barriers introduced by technology-based approaches**

1. Technology used to support communication access must also be inclusive and accessible (e.g., usable by people who need alternative access formats such as switches or screen readers).
2. Policies to prevent access barriers should not be so prescriptive that they stifle or prevent adoption of innovations (e.g., Google’s euphonia project shows promise as a voice recognition system).
3. Human alternatives to technology-based approaches should always be available as well as other technology-based approaches.
4. Test user journeys with a diversity of people with communication disabilities and intersecting disabilities to learn about blockers and ensure the user experience aligns with expectations.

**Provide one size fits one approaches**

1. Provide multiple options for communication and collection of information (e.g., print, email, chat, phone, synchronous, asynchronous, signature alternatives, etc.).
2. Provide opportunities for people with communication disabilities to state what supports will work best for them.

**Make services and processes accessible**

1. Provide information about requirements/necessary information or documentation as early as possible in a process. For example, in the online environment when a process is timed, provide a list of requirements to complete the process before it starts.
2. Use plain language and where appropriate for some individuals, use yes/no questions.

## Support persons

**Recognize the role of communication support persons**

1. Adjust policies and processes that prevent the use of a communication support person to allow communication support while addressing concerns related to security, privacy or influence.
2. Train staff to speak with the individual and not their support person.

**Recognize Communication Intermediaries (CI)**

1. Communication Intermediaries should be regulated as part of the justice process.
2. Individuals should have more autonomy and access to supports and access approaches earlier in a process.
3. Mandate awareness and integration of communication intermediaries as available supports in court and police processes. And ensure CIs (or professionals trained in communication supports) are available at the early stages of a proceeding to support capacity assessment.

### Recognize trained communication professionals in capacity assessment

1. Mandate that capacity assessment in essential services (e.g., healthcare) includes professionals trained in communication supports (e.g., Speech Language Pathologist).

## Funding support programs

1. Communication access supports and approaches should be part of all budgets for services accessed by the public.
2. The burden for communication access should not be borne by the person with a communication disability, this includes time, effort and financial burdens.
3. Because access to communication supports greatly impacts the accessibility of interactions with federal services, there is a need to make this access more even across Canada. Federal and provincial services for communication access and supports require harmonization so that federal services across Canada can be provided more equitably and evenly to individuals with communication disabilities wherever they live.

# Appendix: Communication Disability Access Canada Recommendations

## CDAC presentation to Accessibility Standards Committee, December 6, 2021

<https://www.cdacanada.com/wp-content/uploads/2023/03/Presentation-to-Accessibility-Standards-Committee-Dec.-2021.pdf>

**Recommendation 1:** Adopt clear, inclusive and consistent definitions of communication and communication access, and ensure these are understood and used by all federal entities.

**Recommendation 2:** Address communication access as a domain that applies to all:

* People with disabilities that affect communication
* Occurs within all service entities and employment situations
* Establish a technical committee that includes ALL communication disability groups (e.g. person with lived experience AND communication disability professional)
* Develop generic communication standards that can, if required be customized for an individual.
* Focus on obligations of service provider/ employer (not technology)

**Recommendation 3:** Augment generic service standards / regulations for critical communication services (e.g. justice, public safety, public health, emergency, pandemics)

### Sample Standards

1. Provide spoken information in a manner that the person understands. Depending on individual needs and context, examples might include using everyday language; pausing between sentences; using short sentences; writing key words or showing pictures and/or providing required human support such as a sign language interpreter, or a trusted person to assist with communication.
2. Use evidence-based practices for effective expressive communication with people in face-to- face interactions; at meetings and public consultations. Depending on individual needs and context, examples might include allowing extra time and opportunity for communication; ensuring the person can use their preferred communication method(s) and/or providing required human support such as a sign language interpreter or a trusted person to assist with communication.
3. Implement specific policies, practices and safeguards to ensure authentic communication in critical contexts such as police, legal, justice, healthcare services, consent and capacity adjudications and medical assistance in dying where qualified, impartial communication support may be required. Depending on the context and the individual needs, this includes access to authentic, authorized communication support and when required, engagement of impartial, qualified support services such as a Speech-Language Pathologist, Augmentative Communication Clinician or Communication Intermediary
4. Ensure accessible communication in telephone and video internet services. Depending on individual needs, examples might include service operators knowing how to communicate with an individual over the telephone; providing alternate options such as email, text or social media; having procedures to accommodate an authorized support person to assist; and providing access to message relay services that supports speech-to-speech interpretation, and augmentative communication methods
5. Provide written information in a manner that the person can read, understand and can use. Depending on individual needs and context, examples might include plain language; alternate formats; accessible forms and surveys; alternate signature arrangements, and human support as required with reading, understanding and writing.
6. Train service providers in communication access relevant to their position responsibilities. • Depending on the service provider’s position and responsibilities, this may include training on how to interact with people who use different ways to communicate in face-to-face and telephone services; how to host meetings and public consultations; how to provide accessible websites, plain language information, accessible surveys, and forms.

## CDAC’s Recommendations from presentation to Senate on Bill C-81, April 11, 2019

<https://www.cdacanada.com/wp-content/uploads/2019/04/Speaking-Notes-Senate-Committee-April-11-2019-.pdf>

First, we want the bill to **clarify the term communication**. We recommend that the area of communication referred to in paragraph 5(c.1) be clarified in the definition section as a two-way, interactive process in which people give and receive information, using a range of communication methods in face-to-face interactions, over the telephone, online and via reading and writing. This will guide the interpretation and implementation of the law.

Second, we recommend an **acknowledgment that people have a right to use a range of communication methods and supports**. People communicate in different ways and they have a right to use the communication methods and supports that best suit their needs, the needs of the person with whom they are communicating and the context. We think it is important to specify exactly what that means. We recommend adding a principle in Section 6 such as “all persons have the right to communicate using their preferred communication method(s) and supports, which includes speech, writing, picture, symbol and letter boards, speech-generating devices and human services such as ASL/LSQ/ISL interpreting, captioning in real time, informal and formal communication assistance.”

## CDAC’s Public Consultation on Federal Accessibility Legislation: Input from Canadians who have Speech, Language and Communication Disabilities, January 2018

<https://www.cdacanada.com/wp-content/uploads/2018/01/Final_Community_Consultation_for_Federal_Accessibility_Legislation_Digital_2.pdf>

### Overarching Principles

Ensure all federal service providers who deal with the public have appropriate **education, and guidelines to make their services communication accessible for people with SLCDs.** These should be delivered by a qualified organization that includes people with different types of SLCDs, as well as communication professionals should address:

* The nature of a **wide range of speech, language and communication disabilities**.
* An **inclusive, respectful, universal approach to interacting** with people who have a wide range of SLCDs in face-to-face interactions, group situations, and telephone communications.
* **Techniques to negotiate individualized communication access** accommodations with people who have different communication disabilities and profiles.
* **Procedures for communicating with people with SLCDs over the telephone**, including a dedicated telephone line and service, options for using alternatives to the telephone, and using an authorized communication assistant.
* **Procedures to make public consultations accessible** for people with SLCDs.
* **Guidelines to make print, internet, and e-communications accessible for people with SLCDs,** including plain language, application of universal design and layout, alternate formats, accessible websites as well as accessible forms, and procedures to take notes and use alternate signature formats.
* **Policies and procedures to obtain informed consent** and signatures on legal, health and financial documents.
* Provide information, guidelines, and resources for people with SLCDs to **support them in knowing and negotiating their communication accessibility rights and responsibilities**, when accessing government services.
* Develop specific communication protocols, procedures, and guidelines for essential services where communication is critical such as healthcare, justice, citizenship and immigration, public safety and Revenue Canada for people with SLCDs.
* Ensure all groups that receive funding from the federal government are accessible for people with SLCDs.
* Work with provincial government ministries to increase access to clinical speech-language pathology, audiology and augmentative and alternative communication services as well as adequate and secure funding for communication devices.
* Ensure people with SLCDs are represented and their communication access needs are accommodated at public consultations, accessibility reviews, advisory committees, commissions and monitoring procedures.

### Generic Recommendations

The following recommendations have been provided by participants to make federal jurisdiction services and provincial/ territorial services funded by the federal government accessible for people with SLCDs.

#### Service providers who interact with the public should:

* Receive training in how to interact with people who have SLCDs as well as how to negotiate and accommodate communication accessibility requirements.
* Provide services in a manner that respects the dignity and autonomy of the person with a SLCD.
* Accept the person’s chosen way to communicate, including unclear speech, picture, symbol, or letter board; a speech or text output device; or assistance from a communication support person.
* Follow instructions provided by the person with a SLCD on what they should do when communicating with them.
* Ask the individual what, if any communication accommodations and supports they may need to use the service.
* Make best efforts to accommodate the communication needs of the individual.
* Have access to a “go to person” with additional training in the event of communication breakdowns.
* Provide additional time for the person to communicate.
* Provide, if needed, a counter surface, at a level where a person can use a communication board or device and the service provider can see what the person is pointing to, typing or writing.
* Use a variety of question formats and avoid restricting a person’s communication to answering yes and no questions, unless approved by the individual and the situation calls for this questioning style.
* Accept what an authorized support person communicates on behalf of an individual with a SLCD, if they choose to have someone assist them with communication.
* Ensure that both the person with a disability and the communication support person are permitted to enter the premises together and that the person with a disability is not prevented from having access to the communication support person while on the premises if he/she requests their assistance.
* Validate what the communication support person has communicated (if applicable) by asking the person with the SLCD if they agree with what the support person has said.

#### Telephone service providers should:

* Offer a dedicated telephone line for people with SLCDs.
* Have policies and procedures to accept an authorized communication support person over the telephone.
* Receive training in specific strategies to communicate over the telephone with people who have communication disabilities.
* Provide alternative options to the telephone, such as text messaging, email and social media, video conferencing, and message relay services.

#### Organizers of public forums, meetings, and committees should:

* Advertise the availability of communication accessibility accommodations and supports to people with SLCDs, prior to an event.
* Provide an agenda ahead of time.
* Provide communication assistants to support people communicating, if requested
* Use appropriate strategies to facilitate communication and participation of participants who have SLCDs.

**Information and Communications services should:**

* Provide written information in several formats (e.g. electronic format and hard copy), including easy reading or plain language, enhanced text (e.g. pictures, large font), audio, and, if appropriate, human assistance.
* Ensure that websites comply with web content accessibility guidelines.
* Make accessible forms compatible with assistive writing or communication technology.
* Ensure that signage is clear, with recognizable graphics, and at a height and location that can be easily seen.
* Have procedures in place for alternate signatures, note-taking, recording services, and scribing. Feedback and Complaint Process “Don’t just give us a phone number – give us lots of options to complain and when we do complain - do something about it.”
* The feedback process must permit people with SLCDs to provide their feedback in person, by telephone, in writing, or by delivering an electronic text by email or with the assistance of a communication support person to the service provider and to the governing body in charge of compliance.
* The service provider should be obliged to respond to the complainant and copy their correspondence to an oversight body.

### Essential Services Recommendations

In addition to generic communication access standards for all public services, there is a need for specific standards within services where communication is critical.

#### Healthcare Services

Service providers should have policies, procedures, training, and practices to:

* Identify patients with SLCDs and determine their need for specific communication accommodation and supports.
* Provide required communication accommodations and supports within a timely manner at all stages of healthcare services.
* Have a process in place that recognizes a patient’s authorized communication support person.
* Document a patient’s communication needs in medical files and share with pertinent healthcare staff.
* Provide patients with ways to communicate while hospitalized.
* Engage a speech-language pathologist to assist with communication if the person has no means of communicating, or if there is a question about the reliability of the communication process, as identified by either the medical practitioner or the patient.
* Train healthcare providers in best practice communication strategies to ensure patients comprehend what is being said and can effectively express their decisions in consent to treatment situations and end-of life directives.
* Provide communication accommodations and supports when there is a question about an individual’s capacity to make healthcare decisions.
* Ensure that substitute and supportive decision makers consult and engage with patients within decision-making situations.

#### Justice Services

Members of the judiciary, police officers, duty counsel, defense lawyers, crown attorneys, court accessibility coordinators, tribunal members, lawyers, and paralegals should have policies, procedures, training and practices to:

* Identify victims, witnesses, and accused persons with SLCDs.
* Negotiate individual communication accommodations and supports.
* Engage the services of a qualified Communication Intermediary, at no cost to the person with a communication disability, to provide assistance with two-way communication between the victim, witness or accused person and justice professionals.

#### Emergency and Public Safety

Service providers should:

* Provide information for people with SLCDs about how to prepare for and communicate in an emergency, as well as evacuation plans.
* Receive training on how to communicate with a person with a SLCD in an emergency.

#### Canadian Radio-television and Telecommunications Commission

Service providers should:

* Ensure that telecommunications and broadcasting products and services are accessible for people with SLCDs
* Provide training for message relay operators to relay unclear speech or synthesized speech between a person with a SLCD and another person on the telephone.
* Provide video message services for people who use augmentative and alternative communication methods.

#### Employment

Service providers that work to increase employment opportunities for people with disabilities should:

* Have information about successful models of employment for people with SLCDs.
* Receive training on the range of communication accommodations and supports that people with SLCDs may require.
* Provide employment information, counseling, role models and support for people with SLCDs when seeking employment. Financial Services Service providers should:
* Have policies, procedures, and training to negotiate confidential financial matters, signatures, and authorizations with people who have SLCDs.

#### Elections Canada

Election officials should:

* Provide human assistance, picture based ballots as well as the option of human assistance or Internet access voting for people with SLCDs.

#### Citizenship

Service providers should:

* Provide the option to use qualified communication assistants if required by people with SLCDs at interview and swearing-in ceremonies.