

SECTION: ADMINISTRATION		MODULE 2 : REGULATORY OPERATIONAL POLICIES AND FORMS
Module 2: Regulatory Operational Policies	Policy #: A 2.10 SS	Effective Date:
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A 2.10 SS: Customer Service Standards

Policy:

The goal of the *Accessibility for Ontarians with Disabilities Act, 2005* (the “Act”) is to create a more accessible Ontario, by identifying, and to the extent possible, preventing, and eliminating barriers experienced by persons with a disability.

The *Accessibility Standards for Customer Service* (“the Standards”) are part of the broader *Integrated Accessibility Standards Regulation*. The Standards have been established under the Act to ensure services and facilities are, where at all possible, equally accessible to every member of the public.

We at Heritage Place strive to provide accessible services and facilities to our residents and their families and friends. The objective of this policy (the “Policy”) is to ensure we meet the requirements of the Standards and promote their underlying core principles, described below.

Definitions

- i. **Accessible Formats** - may include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.
- ii. **Accessibility Report** – The report required to be filed pursuant to section 14 of the Act.
- iii. **Assistive Device** - Any device used to assist a person in performing a particular task or tasks or to aid that person in activities of daily living.
- iv. **Communication Supports** - may include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.
- v. **Disability** – means:
 - i. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or another animal or on a wheelchair or other remedial appliance or device,
 - ii. a condition of mental impairment or a developmental disability,
 - iii. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
 - iv. a mental disorder, or
 - v. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.
- vi. **Guide Dog** - A guide dog as defined in section 1 of the Blind Persons Rights’ Act is a dog trained as a guide for a person who is blind and having qualifications prescribed by the regulations under the Blind Persons’ Rights Act.

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- vii. **Service Animal** - means an animal,
- that can be readily identified as one that is being used by the person for reasons relating to the person's disability, as a result of visual indicators such as the vest or harness worn by the animal; or
 - for which the person provides documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:
 - A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
 - A member of the College of Chiropractors of Ontario.
 - A member of the College of Nurses of Ontario.
 - A member of the College of Occupational Therapists of Ontario.
 - A member of the College of Optometrists of Ontario.
 - A member of the College of Physicians and Surgeons of Ontario.
 - A member of the College of Physiotherapists of Ontario.
 - A member of the College of Psychologists of Ontario.
 - A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario.
- viii. **Support Person** – A person who accompanies a person with a disability to assist with communication, mobility, personal care or medical needs or with access to goods, services or facilities.
- ix. **"We", "Our" and "Staff"** means Heritage Place and its employees, volunteers, agents and contractors.

Core Principles of the Policy

We endeavor to ensure that the Policy and related practices, policies and procedures are consistent with the following four (4) core principles:

- Dignity** - Persons with a disability are as deserving of quality service as any other person and should be treated in a manner consistent with this fact.
- Equality of Opportunity** - Persons with a disability should be given an opportunity equal to that given to others to obtain, use and benefit from our services and facilities.
- Integration** - Wherever possible, persons with a disability should benefit from our services and facilities in the same place and in the same or similar manner as any other person. In circumstances where integration does not serve the needs of the person with a disability, services and facilities will, to the extent possible, be provided in another way that takes into account the person's individual needs.
- Independence** – Services and facilities should, where possible, be provided in a way that respects the independence of persons with a disability. To this end, we will be willing to assist but will not do so without first attempting to get the permission of the person with a disability.

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Human Rights Code & AODA: Duty to Accommodate

The AODA and the Ontario Human Rights Code (the Code) both use the same definition of disability, but they also have some important differences. Under the Code, when a person with a disability needs accommodation, there is duty to accommodate to the point of undue hardship. This means organizations may need to provide an individualized response to an accommodation request.

Accommodation means not denying people jobs or services in the first place if they can be accommodated to the point of undue hardship, which means organization may need to make changes to their policies, practices and staff training so that discrimination does not occur.

The Code protects people from discrimination and harassment because of past, present or perceived disabilities. Disabilities themselves are not a barrier, but barriers exist that exclude people with disabilities. These include physical, information and communication, systemic or attitudinal barriers.

- Physical barriers include things like providing steps but no ramps or elevators
- Information and communication barriers can make it difficult for people to receive or give information
- Systemic barrier can result from stereotypes or established practices, such as inflexible hours that don't coordinate with para-transit bus schedule
- Attitudinal barriers can be the biggest barrier of all by some organizations having a tendency to see people with disabilities as less worthy and underestimating their potential

Organizations should try to identify and remove barriers before problems arise instead of waiting to answer individual accommodation requests or complaints.

Avoid creating barriers altogether through inclusive planning and design. See section on Design of Public Spaces standards below.

Resident Rights under Human Rights Code

In addition to obligations arising under the AODA, residents in your retirement residence may also have rights under the Human Rights Code. These obligations under the Human Rights Code include:

- A retirement residence cannot refuse to let someone move into HERITAGE PLACE simply because they have a disability, physical or mental, including depression.
- A retirement residence may have a duty to accommodate special needs arising from a disability, unless doing so would cause 'undue hardship' (as defined by the Human Right Code) for HERITAGE PLACE.
- There may be legal requirements under the Human Rights Code about when you can request or demand additional medical information such as a psychiatric examination.

Your organization will have policies and processes outlining the procedures for resident admissions.

Please note, the information in this policy is provided for general information purposes and does not constitute legal advice. We suggest you obtain legal advice regarding your own specific circumstances.

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Implementation

Heritage Place has created an Accessibility Committee responsible for:

- Developing and implementing policies aimed at providing accessible services and facilities to persons with a disability.
- Developing and implementing an accessibility training program as required by the Standards.
- Developing and implementing a feedback procedure as required by the Standards.
- Filing Accessibility Reports as required under section 14 of the Act. **[Also See : A 2.10.2 SS Sample AODA Audit to Support Homes in Preparing for an AODA Desk Audit].**

Providing Services and Facilities to People with Disabilities

I. Policies

Heritage Place shall make all reasonable efforts to ensure that its policies which impact the delivery of its services and facilities to residents, their family and friends, the public or to other third parties are consistent with the principles of dignity, equality of opportunity, integration and independence as defined above.

II. Communication

Heritage Place strives to communicate with persons with a disability in a manner that takes into account the disability. Approaches for communication are set out in our accessibility training program.

III. Assistive Devices

Persons with a disability are permitted, where possible, to use their own Assistive Device when on our premises for the purposes of obtaining, using or benefiting from our services and facilities. If there is a physical, technological or other type of barrier that prevents the use of an Assistive Device on our premises we will make efforts to provide an alternative means of assistance to the person with a disability.

IV. Accessibility at Our Premises

HERITAGE PLACE offers the following services to which the Policy applies to enable persons with a disability to obtain, use or benefit from our services and facilities:

- Assistive devices – Heritage Place does not provide assistive devices to Residents, however would endeavor to offer this service for a potential fee or a recommendation to alternate outside resources.
- Alternate formats of documents i.e., commonly asked questions, available in a handout and in large print.
- Assistance of a staff person to complete a form.
- Stool if counters are too high for a person of short stature - If there is a requirement, HERITAGE PLACE will endeavour to accommodate the resident's needs and will be based on safety concerns.
- A chair for waiting in line if a person's disability prevents him or her from standing for lengthy period.
- Improved lighting in certain areas for individuals with vision disabilities etc.

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V. Service Animals and Guide Dogs

Persons with a disability may enter premises owned and/or operated by Heritage Place accompanied by a Guide Dog or Service Animal, and keep the Guide Dog or Service Animal with them, if the public has access to such premises and the Guide Dog or Service Animal is not otherwise excluded by law.

If a Guide Dog or Service Animal must be excluded by law, we explain to the person why this is the case and explore alternative ways to meet the person's needs.

VI. Support Persons

A person with a disability may enter premises owned and/or operated by Heritage Place with a Support Person and have access to the Support Person while on the premises.

Heritage Place may require a person with a disability to be accompanied by a Support Person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, the provider determines that,

- a) A Support Person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises; and
- b) There is no other reasonable way to protect the health or safety of the person with a disability and the health or safety of others on the premises.

Heritage Place occasionally holds functions and events for which it charges attendees an admission fee. We will ensure that, if a separate admission fee is to be charged for a Support Person, advance notice is provided of the existence and the amount of the admission fee to be charged. Where the presence of a Support Person is required, any applicable admission fee or fare will be waived for that person.

VII. Notice of Temporary Disruptions

Heritage Place will notify residents, their friends and families and the public if there is a planned or unexpected disruption of a facility or service persons with a disability use to access our services or facilities. The notification will be made by posting a notice at the entrance of the applicable premises, on HERITAGE PLACE page of the HERITAGE PLACE website or in some other location or by some other means as may be appropriate in the circumstances. **HERITAGE PLACE will ensure** the notice includes the reason for the disruption, its anticipated duration and the alternative facilities or services, **if any, that are available.**

The notice will include the following information:

- i. That a facility or service is unavailable.
- ii. The anticipated duration of the disruption.
- iii. The reason for the disruption.
- iv. Alternative facilities or services, if available.

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Training and Records

HERITAGE PLACE will ensure the following individuals receive the training required under the Standards:

- i. Every employee and volunteer
- ii. Every person who participates in developing Heritage Place policies.
- iii. Every other person who provides services or facilities on behalf of Heritage Place

A. Content of Training

Training will include:

- i. A review of the purpose of the Act and requirements of the Standards.
- ii. A review of the Policy.
- iii. How to interact and communicate with persons with various types of disabilities.
- iv. How to interact with persons with a disability who use an Assistive Device or require the assistance of a Service Animal or Support Person.
- v. How to use equipment or devices made available on our premises to assist persons with a disability to obtain, use or benefit from our services and facilities.
- vi. What to do if a person with a disability is having difficulty accessing our premises and/or services and facilities.

B. Timing of Training

All persons to whom this Policy applies will receive the required training as soon as practicable after he or she is assigned the applicable duties. On-going training will occur as changes are made to policies, procedures and practices and as new individuals assume the applicable duties.

C. Documenting Training

Records of the training provided, including the training protocol, the dates on which the training is provided and the number of individuals to whom the training is provided shall be maintained in accordance with the requirements of the Standards.

Feedback Procedure

A. Receiving Feedback

HERITAGE PLACE welcomes and appreciates feedback regarding the manner in which it provides services and facilities to persons with disabilities and regarding whether its feedback procedure is accessible to persons with disabilities. Feedback can be provided in the following ways:

- i. In person at: [HERITAGE PLACE RETIREMENT RESIDENCE](#)
- ii. By telephone at: [905-315-2500](tel:905-315-2500)
- iii. In writing to: [General Manager](#)
[4151 Kilmer Drive](#)
[Burlington, Ontario L7M 5A9](#)
- iv. Electronically to: www.heritage-place.ca; or on a USB.

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B. Responding to Complaints

HERITAGE PLACE will make reasonable efforts to resolve complaints at the time that they are made. If immediate resolution of a complaint is not possible the individual may submit a complaint to:

General Manager : **905-315-2560** **email: reception@heritage-place.ca**

Persons who wish to be contacted about their complaint must provide their contact information. The individual will then be contacted by a representative of Heritage Place.

Heritage Place will make reasonable efforts to provide responses to complaints in a manner that is accessible to the complainant.

C. Availability of Feedback Procedure

Heritage Place shall make information about this feedback procedure readily available to the public and shall make it accessible to persons with disabilities by providing, or arranging for the provision of, Accessible Formats and Communication Supports, on request.

Documentation to be made available:

This Policy and any other documentation required by the Standard shall be made available to any member of the public upon request. Notification of same shall be posted at a conspicuous place on the premises owned or operated by Heritage Place, by posting it on Heritage Place's website, or by such other method as is reasonable in the circumstances.

Format of Documents

HERITAGE PLACE will provide documents, or the information contained in documents, required to be provided under the Standards, to a person with a disability in an Accessible Format or with a Communication Support upon request.

The document(s) shall be provided in a timely and in a manner that takes into account the person's accessibility needs due to disability. The documents shall also be provided at a cost that is no more than the regular cost charged to other persons.

HERITAGE PLACE shall consult with the person making the request in determining the suitability of an Accessible Format or Communication Support.

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Design of Public Spaces Standards

will comply with the accessibility standards the Design of Public Spaces Standards (DOPS) when redeveloping or constructing new public spaces. For further information on existing or planned projects to redevelop or construct new public spaces see Heritage Place's Accessibility Plan.

The Ontario Building Code sets the technical requirements for building constructions. DOPS does not apply to the physical structure of the building, but does cover primarily outdoor spaces such as parking, paths of travel, service-related elements, outdoor public use eating tables, maintenance and restoration of public spaces, recreational trails and outdoor play spaces. It also includes service counters, fixed waiting lines and waiting areas with fixed seating. Responsibility for compliance falls onto the owner of this space, or the person who leases the space and who has the authority to make design decisions. Where there are physical accessibility issues in existing buildings that prevent accessing goods or services, the Customer service standard under the AODA require organizations to work with people with disabilities so they may receive accessible customer service. If you are the person who falls into this category, it is strongly recommended you refer to the link to review your responsibilities under the AODA – <http://www.ontario.ca/page/accessibility-laws>.

Accessible Parking

There are accessibility requirements under DOPS which apply to both on-street parking and off-street parking. Businesses and non-profit organizations have requirements to meet related to off-street parking only. Normally, the accessibility requirement for off-street parking falls under the municipality.

Off-street parking includes parking lots and structures intended for the temporary parking of vehicles by the public. This includes visitor parking at your communities. If you are, or have plans to add to your current parking lot, or reconstruct the lot entirely, the requirements under the standard set the minimum number of accessible parking spaces required, the size of the parking spaces, access aisles and signage requirements. These requirements are in place to ensure the needs are met for the growing number of accessible parking permit holders.

The accessibility standard provides minimum standards and does not prevent organizations from exceeding them to meet their own residents' needs. For example, the minimum width of a standard parking space, Type B, is about 7.87 feet. Communities can choose to comply with this width, or create wider spaces to accommodate residents and/or visitors that need the extra space to feel safe when exiting their vehicle. Organizations are required to have both Type A accessible parking spaces, that are clearly identified with a 'Van Accessible' sign, and a 'Type B' parking space. Anyone with a valid accessible parking permit can park in either of these accessible parking spaces.

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Service in Public Spaces

If your retirement community has service counters in places such as reception, dining rooms or laundry rooms, there are regulations that need to be followed to ensure these services are available to all residents in your community. There must be at least one accessible service counter for each service that accommodates people with a mobility aid such as a wheelchair or scooter.

You need to make all service counters accessible if your organization has a single wait line for all services. All accessible service counters need to be clearly marked.

The fixed queuing line which may or may not lead to a service counter or other services must be wide enough to allow passage of a mobility aid and/or use of mobility devices, offer enough space for turning if the queuing line changes direction; and it must be detectable by someone using a cane for navigation.

The height of the counter must be usable for a person seated in a mobility aid with enough knee space so a forward approach can be used. The floor or ground around the accessible counter must be cleared enough with no obstructions for the person with a mobility aid to use the counter.

If there is a waiting area with fixed seating on your premises, three percent of the seating must be designed as accessible seating. There must be at least one accessible seat. This means you must leave room for people who use a mobility aid, such as a wheelchair or scooter to wait.

See the regulation on Obtaining Services: <https://www.ontario.ca/laws/regulation/110191#BK141>

Recreational Trails

If your community has a public recreational trail, there are accessibility standards to ensure everyone can enjoy the natural space around your community. This doesn't apply to wilderness trails, back-country trails and portage routes, but does include multi-use trails such as a walking path that turns into a snowmobile trail in the winter.

When constructing a new recreational pathway, the organization must consult with the public including people with disabilities. When consulting, certain design elements must be addressed that might be part of the trail such as the slope, ramps that might be needed, rest areas, passing areas, viewing areas and amenities.

Remember, you don't need to update your existing recreational trails. This accessibility standard only applies if you are constructing a new recreational trail or performing major renovations to an existing recreational trail.

For more information on the requirements, see:

<https://www.ontario.ca/laws/regulation/110191#BK104>.

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Beach Access Routes

If your retirement community offers beach access, there are accessibility standards that apply. Beach access routes are public routes that provide access from off-street parking facilities, recreational trails, exterior paths of travel and amenities. These routes can be permanent or temporary and have specific technical requirements which are outlined in the standard. Temporary beach access routes can be removed and stored away during the off-season months. These requirements include minimum clear width and height, maximum running slope ratio, surface opening restrictions, minimum clear width at entrance, firm and stable surface, minimum cross slope for drainage and maximum cross slope and bevel ratios for man-made surfaces. You do not need to consult when constructing a beach access route, but you do need to comply with the requirement.

Go to <https://www.ontario.ca/laws/regulation/110191#BK104> for more information about beach access routes.

Outdoor Public Use Eating Areas

If your organization has 50 or more employees and your community provides outdoor eating areas, accessible regulations outline the requirements that must be met to be compliant. For example, if you provide a picnic area for your residents and their families, the requirement sets the number of tables, the design of the eating area and the surface area. If you currently have an eating area and are not planning a renovation to this area, you do not need to change the area to comply. Just remember, once you renovate this area, you will need to comply with the accessibility standards.

See the regulation <https://www.ontario.ca/laws/regulation/110191#BK113> for more technical information regarding outdoor public use eating areas.

Exterior Paths of Travel

Promoting a healthy lifestyle with residents is a key component in care. Most retirement communities offer public pathways around the community for residents, families and staff to use. If your retirement residence has 50 or more employees, the Accessible Standard for the Design of Public Spaces standard states surfaces of exterior paths of travel must be firm, stable and slip-resistant. Firm surfaces resist dents when walked or wheeled on and stable surfaces return to their original condition once the pressure has been removed. Sidewalks and walkways should include drainage grates that won't allow canes, wheelchairs or footwear to get caught. You must also include rest areas and directional signage. There may be areas along the exterior path of your residence that is accessible to the public that have multiple changes in surface levels. For example, when the grading of the pathway that leads to the bus stop is steep due to the ground being unlevel, or have stairs which are not to the correct width, residents and/or visitors with stamina issues may have issues with going up and/or down these pathways. There are regulations for changes in levels along sidewalks and walkways to ensure the safety of your residents and visitors.

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Overhead barriers or objects should be relocated or also contain a barrier around the object which will benefit all users. This may include any hanging flower baskets, flowerbeds with overgrown plants or directional signs. There are many more technical requirements for exterior pathways including ramps, curbs, stairs and railings. Ensuring the communities exterior path meets the requirements under the accessibility standard, provides your residents and their families with a safe path to enjoy a leisurely walk or exercise, while ensuring their safety.

Outdoor Play Places

If your retirement residence has 50 or more employees and offers an outdoor play area for residents to enjoy with their families when they visit, there are accessibility requirements that apply to this space. This includes play equipment and structures such as slides, swing, splash pads, etcetera; and natural features such as logs, rocks, sand or water intended for play.

Ensuring your outdoor play space is compliant with the accessibility standard for the Design of Public Spaces promotes enhanced play experiences for residents and their families.

See: <https://www.ontario.ca/laws/regulation/110191#BK116>

Maintenance

To ensure an accessible environment is kept safe and usable and to ensure existing public spaces are in good working order, communities should perform routine maintenance on these areas. Poor maintenance can cause accessibility barriers for people with disabilities. This requirement applies to all retirement residences in the non-profit or business sector with 50 or more employees.

Your organization must have a multi-year accessibility plan under the Integrated Accessibility Standards Regulation, or IASR. These plans will document procedures for preventative and emergency maintenance of accessible public spaces required by the standard. Within these plans, there must be documented procedures for what to do when the accessibility elements are not available, and how you plan to maintain public spaces.

See the regulation for maintaining accessible public spaces:

<https://www.ontario.ca/laws/regulation/110191#BK146>

Summary

Under the AODA, the Government of Ontario is required to establish standards to remove barriers so people with disabilities can participate more fully in their communities. Ensuring organizations comply with their AODA requirements, will promote accessibility for everyone to enjoy life and participate in activities everywhere they go.

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Questions About This Policy

For more information about the Policy or for questions regarding HERITAGE PLACE policies, practices and procedures for accessible service please contact:

[Enter contact name and contact information]

For more information about the action plans and progress report that help make Ontario a more accessible province for people with disabilities, go to <https://www.ontario.ca/page/about-accessibility-laws>.

Resources

- The Ontario Human Rights Commission: <http://www.ohrc.on.ca/en/about-commission/contact-us>
- The Human Rights Tribunal: <http://www.sjto.gov.on.ca/hrto/>
- The Human Rights Legal Support Centre: <http://www.hrlsc.on.ca/en/welcome>
- AccessForward Ontario Human Rights Code Resources <https://accessforward.ca/ontario-humanrights-code-resources/>

[Ref: 2.10.1 SS Accessibility Standards Package]- Helpful Templates

- Instructions for Filing an Accessibility Report
- Feedback Process
- Accessible Customer Service Feedback
- Responding to Client / Customer Feedback
- Service Feedback Tracking Log
- Accessible Documentation
- Notice of Service Disruption
- Service Animals
- Support Persons
- Staff Training Records