

HOME AND COMMUNITY CARE SUPPORT SERVICES

North East

ADMINISTRATION

Section:	General	Version:	3
Sub-Section:		Page:	1 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

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PURPOSE/SCOPE:

This policy establishes the accessibility standards for customer service for the Home and Community Care Support Services North East (HCCSS NE) in accordance with the requirements of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA), Accessibility Standards for Customer Service, Ontario Regulation 429/07.

Accessibility Standards for Customer Service apply to every designated public sector organization and to every other person or organization that provides goods or services to members of the public or other third parties and that has at least one employee in Ontario.

POLICY:

Policy Application

This policy applies to HCCSS NE staff that service the public or other third parties as well as persons involved in developing HCCSS policies, procedures and practices pertaining to the provision of goods and services to the public or other third parties, whether they do so as employees, volunteers, agents or otherwise.

These procedures and practices apply where the HCCSS NE provides its goods and services on premises that it owns or operates and if the public and other third parties have access to these premises.

Agents and others providing services on behalf of HCCSS NE will abide by these procedures and practices.

These procedures and practices will be reviewed annually and in accordance with legislation.

Policy Principles

In keeping with the principles set out in the Accessibility Standards for Customer Service, the HCCSS NE is committed to providing respectful services that focus on the unique needs of each individual.

To achieve this, the HCCSS NE shall make reasonable efforts to ensure that its policies, procedures and practices pertaining to the provision of goods and services to the public and other third parties adhere to the following guiding principles as set out in Ontario Regulation 429/07:

- a) The goods or services must be provided in a manner that respects the dignity and independence of persons with disabilities.
- b) The provision of goods or services to persons with disabilities and others must be integrated unless an alternate measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods or services.

Section:	General	Version:	3
Sub-Section:		Page:	2 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

- c) Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods or services.

HCCSS NE is committed to making reasonable efforts to accommodate persons with disabilities in accordance with the following principles:

1. dignity;
2. independence;
3. integration, except when alternate measures are necessary to meet the needs of people with disabilities, and
4. equal opportunity. (s.3 (2), Ontario Regulation 429/07)

Availability of the Accessible Customer Service Documents

The HCCSS NE shall prepare any additional documents describing its policies, practices and procedures as may be required by Ontario Regulation 429/07 and, upon request, shall give a copy of such documents to any person. Further, the HCCSS NE shall notify persons to whom it provides goods and services that the documents required under Ontario Regulation 429/07 are available upon request.

The HCCSS NE shall give the person the documents, or the information contained in the documents described above, in a format that takes into account the person's disability.

Modifications to this or other Policies

The HCCSS NE is committed to developing customer service policies that respect and promote the dignity and independence of people with disabilities. Therefore, no changes will be made to this policy before considering the impact on people with disabilities. HCCSS NE will consider the modification or removal of any policies that do not respect and promote the dignity and independence of people with disabilities on an ongoing basis.

STANDARDS AND PROCEDURES:

1. Training

The HCCSS NE will ensure appropriate levels of training to all employees, volunteers, students, agents and others who deal with the public or other third parties on behalf of HCCSS NE as well as those who are involved in the development and approvals of policies, practices and procedures dealing with the provision of goods and services to the public or other third parties.

This training will be provided to all staff as soon as practicable and in keeping with the requirements of Ontario Regulation 429/07.

Records of training will be kept that include the dates on which training occurred and the number of persons trained.

Training will include the following topics:

Section:	General	Version:	3
Sub-Section:		Page:	3 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

- i) The purposes of the Accessibility for Ontarians with Disabilities Act, 2005
- ii) The requirements of the Accessibility Standards for Customer Service
- iii) How to interact and communicate with people with various types of disabilities
- iv) How to interact with people with disabilities who use an assistive device or require the assistance of a service animal or a support person
- v) How to use the assistive devices available at HCCSS NE offices and otherwise made available by the HCCSS NE for persons with disabilities
- vi) What to do if a person with a disability is having difficulty in accessing HCCSS NE's goods and services
- vii) HCCSS NE's policies, practices and procedures relating to the provision of goods and services to the public and other third parties.

Staff will also be trained on an ongoing basis when changes are made to policies, practices and procedures dealing with the provision of goods and services to the public and other third parties.

2. Information and Communications

The HCCSS NE supports an accessible Ontario where the independence and integration of those with disabilities are promoted. When communicating with a person with a disability, individuals working on behalf of HCCSS NE shall do so in a manner that takes into account the person's disability and will make reasonable efforts to have the person understand both the content and intent of its communications.

In most situations, the patient should initiate a request for accommodation including the need for an assistive device to HCCSS NE staff. Staff will be pleased to work with the customer to provide a suitable form of assistance.

Where staff is aware of a patient's need for assistance in accessing goods and services, staff will inform persons with disabilities of the accommodations and/or the assistive devices the HCCSS NE makes available to persons with disabilities.

Accommodation often involves simple or informal forms of assistance that staff can provide quickly and easily. For example, staff may offer to fill out a form for a person who finds it difficult to grip a pen.

In some instances, more formal accommodation may be requested. Formal accommodation, such as a sign language interpreter, may require pre-planning. Some requests for accommodation will be uncertain and require assessment to determine the best accommodation to allow the patient to access services. Such accommodation may require pre-planning by staff and management and/or the approval of expenses.

Managers or their delegates will:

Section:	General	Version:	3
Sub-Section:		Page:	4 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

- a) either approve, deny, research and/or approve the accommodation request;
- b) ensure the accommodation has been arranged for the patient;
- c) make certain the patient is kept informed of the status of their request in a timely manner.

Accommodation records containing information about a particular patient will be subject to the confidentiality restrictions of the Personal Health Information Protection Act (PHIPA).

3. Use of Assistive Devices

The HCCSS NE is committed to serving people with disabilities who use assistive devices to obtain, use or benefit from our goods and services. The HCCSS NE will ensure that staff are trained on or about the assistive devices that may be made available by HCCSS NE and realize that persons with disabilities may use their own assistive devices to access HCCSS NE goods and services. For example, if the HCCSS NE provides a wheelchair for use by persons accessing our goods and services, the staff providing the wheelchair will be trained on how to set up and use the wheelchair.

The above applies to accessing goods and services at facilities that the HCCSS NE operates. It does not apply to the use of in-home assistive devices in the direct provision of therapy services. The training and use of assistive devices in-home are part of the care plan and provision of services provided by the therapist or rehabilitation assistant.

These procedures and practices apply where persons with disabilities require assistance in accessing the goods and services provided by and on behalf of the HCCSS NE. This may include the person's use of their own assistive device or the assistive devices and other reasonable forms of assistance provided by the HCCSS NE.

Persons who require the use of an assistive device will be permitted to keep their device with them while accessing HCCSS NE goods and services unless the health and safety of the patient or others is at risk or where there is a risk of damage to any person or property.

Persons using assistive devices are expected to operate the device in a controlled manner at all times.

If the device cannot stay with the person or if the person is not permitted to use the device, the HCCSS NE will make certain that other means of accommodation are available to the customer.

In the event that staff and patients disagree about the use of assistive devices or accommodation decisions, staff will follow the Feedback System, Complaints and Appeals Procedure.

4. Use of Service Animals

Section:	General	Version:	3
Sub-Section:		Page:	5 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

The HCCSS NE is committed to welcoming people with disabilities and their service animals on the parts of our premises that are open to the public and other third parties and will permit the person to keep the service animal with them. The HCCSS NE will also ensure that all persons to whom this policy applies have been trained on how to interact with people with disabilities who are accompanied by a service animal.

Service animals may be any animal that assists a person with a disability. They provide a wide range of assistance including but not limited to, guiding a person who is blind, alerting a person who is deaf to certain sounds, opening doors and retrieving items for persons with mobility disabilities, emotional support for persons with mental illness and many other forms of assistance.

Service animals may be identified by any one of the following methods:

- the animal may be wearing a service animal vest, harness or saddle packs;
- the animal may be observed providing assistance;
- the person may have a letter from a physician or nurse stating that they require the animal for reasons related to a disability;
- the person may show a valid identification card or training certificate from a recognized service animal training school.

Persons with disabilities who are accompanied by a service animal will be permitted to enter HCCSS NE premises with the animal and keep the animal with them in areas where the public or other third parties are allowed, unless the animal is excluded by law. If the animal is excluded by law, the HCCSS NE will provide another means of accommodating the person. For example, if the animal is not permitted into a certain area by law, the HCCSS NE may suggest providing services in an area where the service animal is permitted.

It is the responsibility of the person with the disability to ensure that:

- a) their service animal is kept in control at all times and is well behaved;
- b) the service animal is not a threat to health and safety; and
- c) the service animal's immunizations are up-to-date.

The HCCSS NE is aware that service animals are usually well trained and behaved. In the event that this is not the case, service animals may be removed for any one of the following reasons:

- disruptive or aggressive behavior, such as growling, barking or other signs of threatening or aggressive behavior;
- causing damage, including causing damage to any person or property;
- poor health, such as a contagious illness where the animal risks spreading the illness to others.

If the service animal is excluded by law from HCCSS NE premises, the HCCSS NE shall ensure that measures are available to permit persons with disabilities to access HCCSS NE goods and services through other means.

Section:	General	Version:	3
Sub-Section:		Page:	6 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

Service animals may be prohibited from entering certain areas for health and safety reasons or due to law. For example, Ontario Regulation 562 under the Health Protection and Promotion Act states that animals are not permitted in areas where food is prepared, handled, serviced, displayed, stored, sold or offered for sale.

It must be noted that service dogs are exempt from this restriction and are permitted to go where food is served, sold or offered for sale, such as restaurants including buffets. However, all animals, including service dogs are not permitted to enter areas where food is prepared, such as kitchens.

Some municipalities exclude certain animals from their jurisdictions. Depending on the specifics of the by-law, this may give reason for HCCSS to exclude certain animals from their premises.

Common allergies or fear of animals are not considered disabilities. As a courtesy, the HCCSS NE may attempt to accommodate persons with common fears and allergies to animals.

In rare circumstances, a person may have a severe and debilitating reaction to an animal, such as respiratory distress. In these situations, HCCSS NE will suggest alternative means of providing the goods or services to the person, perhaps by limiting exposure to the animal or by another reasonable method.

5. Use of Support Persons

The HCCSS NE is committed to welcoming people with disabilities who are accompanied by a support person. Any person with a disability who is accompanied by a support person will be allowed to enter HCCSS NE premises with his or her support person.

On occasion persons with disabilities require the assistance of a support person to protect their health and safety or the health and safety of others. If necessary, the HCCSS NE may require a person with a disability to be accompanied by a support person while on HCCSS NE premises for the purpose of protecting the health and safety of the person with the disability or others on the premises. This would occur after consultation with the person with the disability.

Support persons may be a family member, friend or a trained professional. They provide a wide range of assistance to persons with disabilities including but not limited to assistance with communication, personal care and assistance accessing goods and services.

If a person with a disability is accompanied by a support person, HCCSS NE shall ensure that both persons are permitted to enter the premises together and that the person with a disability is not prevented from having access to their support person while on the premises.

Section:	General	Version:	3
Sub-Section:		Page:	7 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

Even though HCCSS NEs typically do not charge fees in relation to a support person's presence on HCCSS NE premises, HCCSS NE will provide advanced notice in the event a fee is ever charged. Advanced notice will be given where information about fees are typically provided.

In some cases, a support person may have to agree to rules or requirements that are specific to the kinds of goods or services that HCCSS NE provides.

When confidentiality is important because of the kinds of information discussed, HCCSS NE must obtain the consent of the patient and may require the support person to sign a confidentiality agreement. As an option, in some situations it may be suitable for a support person to wait in a separate area while a patient's confidential matters are addressed.

6. Notice of Temporary Disruptions in Services and Facilities

In order to obtain, use or benefit from HCCSS NE services, persons with disabilities usually use particular facilities or services of the HCCSS NE. If there is a temporary disruption in those facilities or services in whole or in part, the HCCSS NE shall give notice of the disruption to the public. For example, ramps, escalators or elevators may be unavailable due to routine maintenance, ramps may be blocked because of construction or accessible washrooms may be unavailable because of repairs.

The notice of the disruption will include information about the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available. Notice may be given by posting the information at a conspicuous place on premises owned or operated by the HCCSS NE, by posting it on the HCCSS NE's website or by such other method as is reasonable in the circumstances.

HCCSS NE will provide advanced notification of a planned disruption. When a disruption occurs unexpectedly, notice will be provided as soon as reasonably possible. The Coordinator, Facilities and Corporate Procurement is responsible for facility-related disruptions and the Senior Directors, Care Coordination and Clinical Services or their designates are responsible for direct patient service-related disruptions.

Notices will contain the following information: the reason for the disruption; its expected duration; and alternative facilities or services if they exist.

Visual notices will be provided in large clear print using contrasting colours between the text and background.

The format and placement of notices will consider the types of disabilities of persons who use the disrupted service or facility. For example, notices by elevators used by persons in wheelchairs will not be placed so high that they are above the line of vision of persons using wheelchairs but not so low that they are missed by others – approximately 4 feet is good for most people.

Section:	General	Version:	3
Sub-Section:		Page:	8 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

Staff responsible for the facility or service experiencing the disruption or their delegate will:

- a) determine the reasons for the disruption;
- b) determine the expected duration of the disruption;
- c) identify alternative services or facilities, if any, that may be used to access HCCSS NE goods and services;
- d) provide notice of the disruption in an appropriate format and location;
- e) provide notice of unexpected disruptions as soon as reasonably possible; and
- f) determine when notice of planned disruptions will be provided.

7. Feedback Process

The ultimate goal of the HCCSS NE is to meet and surpass customer expectations while serving customers with disabilities. Comments regarding how well those expectations are being met are welcome and appreciated.

Feedback regarding the way the HCCSS NE provides goods and services to people with disabilities can be made in person, by telephone, in writing or by delivering an electronic text by email, diskette or other reasonable methods. Complaints will be addressed according to complaints categories already established in the HCCSS NE Feedback System.

DEFINITIONS:

The AODA and Ontario Regulation 429/07 contain and refer to various definitions that are relevant to this policy, some of which are set out below.

- a) **assistive device** means,
any device that is designed, made or adapted to assist a person perform a particular task and may include, but is not limited to, wheelchairs, reading machines, recording machines, hearing devices and devices for grasping.
- b) **barrier** means,
anything that prevents a person with a disability from fully participating in all aspects of society because of his or her disability, including a physical barrier, an architectural barrier, an information or communications barrier, an attitudinal barrier, a technological barrier, a policy or a practice ("obstacle").
- c) **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 other animal or on a wheelchair or other remedial appliance or device,
 - ii) a condition of mental impairment or a developmental disability,

HOME AND COMMUNITY CARE SUPPORT SERVICES

North East

ADMINISTRATION

Section:	General	Version:	3
Sub-Section:		Page:	9 of 9
Title:	AODA-Customer Service Standards	Effective:	06/23/2021

- 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* ("handicap")
- d) **guide dog** means
a dog trained as a guide for a blind person and having the qualifications prescribed by the regulations (*Blind Persons' Rights Act 1990 s1 (1)*)
- e) **service animal** means an animal acting as a service animal for a person with a disability,
 - i) if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
 - ii) if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability
- f) **support person** means,
in relation to a person with a disability, another person who accompanies him or her in order to help with communication, mobility, personal care or medical needs or with access to goods or services

RELATED DOCUMENTATION:

- [Accessibility for Ontarians with Disabilities Act \(AODA\) Statement of Commitment](#)
- [Risk Event and Feedback Management Guide](#)

REFERENCES:

- Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- Ontario Regulation 429/07 – Accessibility Standards for Customer Service
- Ministry of Community and Social Services. (2009, April). *Guide to the Accessibility Standards for Customer Service, Ontario Regulation 429/07.*

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