

Accessible ICT and the Power of the Public Dollar: An Advocacy Toolkit



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The Big Idea



Government purchasing (usually called public procurement) can be used as a vehicle for social change. Governments on a local, state and federal level are major purchasers of goods and services. Companies are keen to supply goods and services to government as it is a strong and reliable source of income.

Because the government is one of the largest buyers of ICT, they have the power to stimulate the market to give us a greater choice of accessible products and services. If, as part of the tender process, governments explicitly said they wanted to buy ICT that is accessible for people with a disability, companies would then try harder to include those features when designing and developing new products.

If companies were alerted to the value of accessibility features in ICTs, it would create a flow-on effect where a greater choice of accessible ICTs would then be available on the market for everyone to buy.

Including accessibility criteria in government ICT purchasing would also help to ensure that public service workplaces are accessible for current and future employees with a disability and that public sector electronic information and services are accessible to all.

This approach is used in other countries and it needs to happen in Australia as well. When accessibility criteria are included in government ICT purchasing policy, companies recognise and respond to the new market conditions. When this is underpinned by disability rights-based legislation, the case becomes even stronger. You and your organisation can help build momentum behind this powerful idea.

Key Terms

ICT – Information and Communications Technology. Any technology that helps you communicate or seek information, such as telephones, computers, and Internet-enabled devices as well as software.

Accessible ICT – ICT that people with a disability can use on an equal basis with others.

Public Procurement – The government’s purchasing system: the process by which government purchases goods and services for use by its staff (public service employees) or for the provision of services to the public by government.

Tender – When governments need to purchase goods or services, they put out a request for tender to suppliers. This is a call for offers of the best deal and includes a specification of the product that the government wishes to purchase.

Workplace Modifications – Making changes in the workplace for a particular person with a disability. This could mean making adjustments to existing phones, computers and the network, or providing assistive technologies for the person to use.

Why the government should introduce mandatory accessibility criteria

- The government can use its purchasing power to make the market meet unmet demand for accessible products.
- Other countries are beginning to do this and there is a risk that Australia could become a dumping ground for inaccessible products that governments overseas will not buy.
- The government can use it as a strategy for meeting its social and human rights obligations by improving employment opportunities and accessibility of services for people with a disability.

Why it is important

- leads to greater awareness in industry about accessibility
- means better alignment in Australia with international accessibility trends
- means a more streamlined workplace approach to ICT accessibility
- leads to more accessible products on the market

What needs to happen

The report Accessible communications – tapping the potential of ICT public procurement by Will Tibben and Gunela Astbrink looks at examples of best practice around the world and recommends the next steps for Australia in the short-term (within one year), medium-term (two to four years) and long-term (four to six years). You can read the full report at www.accan.org.au/publicprocurement.

An important part of the recommendations is the participation of disability and consumer advocacy organisations.

Short-term

Rec. 1 Representatives from disability groups work to promote understanding of accessibility issues in ICTs in relation to public procurement. To support that work, ACCAN be requested to initiate a workshop of key consumer and disability advocates.

Rec. 2 A roundtable be organised of key stakeholders from government, industry and the disability sector to discuss the issue of ICT accessibility criteria for public procurement in Australia. Key stakeholders are Department of Finance and its Australian Government Information Management Office (AGIMO), Australian Human Rights Commission, Australian Public Service Commission and ACCAN.

Rec. 3 Disability representatives use the Advocacy Toolkit to encourage local, state and federal politicians to lobby for public procurement of accessible ICT and for the Productivity Commission to undertake a cost-benefit study on the incorporation of accessibility criteria in ICT public procurement.

Rec.4 An online resource be established to promote information sharing about the latest international developments of accessibility criteria in ICT public procurement.

Medium-term

Rec. 5 Disability and consumer advocacy groups consider options for developing training programs to build and broaden the knowledge and skills base of disability advocates when representing their constituents on technical committees such as for accessibility guidelines in public procurement. Government funding be made available to support these programs.

Rec. 6 Recognition be given to expertise in accessibility and universal design by professional bodies such as the Australian Computer Society (ACS) and the Institute of Electrical and Electronic Engineers (IEEE).

Rec. 7 University and TAFE courses integrate accessibility and universal design in their teaching of relevant web design and computing courses.

Rec. 8 Accessibility criteria and relevant assistive technologies be explicitly recognised in corporate and government ICT testing regimes.

Rec. 9 The Australian Human Rights Commission establish a universal design information program based on specified areas for future action in the Commonwealth Government's National Disability Strategy¹. The Commission be provided with additional resources to take on this role that includes developing or adapting existing information material to build understanding of ICT accessibility among government departments and industry.

¹ www.fahcsia.gov.au/sa/disability/progserv/govtint/nds_2010_2020/Pages/default.aspx

Long-term

Rec. 10 AGIMO be encouraged to set up a pilot project to incorporate voluntary accessibility criteria (based on accepted international standards) in tender documentation. This can be done to best effect as suppliers on AGIMO's procurement panels renew their supplier status.

Rec. 11 A transparent and reliable monitoring system be established by AGIMO (in association with the Australian Human Rights Commission and with input from the disability sector) so that the purchase of accessible ICTs in government departments and agencies can be assessed within a set timeframe.

Rec. 12 The government introduce mandatory accessibility criteria in ICT purchasing if the results of the monitoring system indicates that the introduction of accessible ICTs has not reached an acceptable level.

Take Action



1 Building your knowledge

- Recognise that this is an emerging area for advocacy that requires an understanding of public procurement policy and international trends. For more detailed background information, read the full report here: www.accan.org.au/accessiblecommunications.
- Consult your members about their experiences in using ICT and accessible ICT, particularly in the workplace. Collect their case studies and find out what change they would like to see.
- Help your members understand the concept behind accessibility criteria in public procurement.

2 Build your case

- Find out how other countries are implementing these changes. For example, OneVoice for Accessible ICT in the UK presents the business and social advantages in a document at: <http://www.onevoiceict.org/tools/tools>.
- Develop a position statement or fact-sheet outlining the importance of the issue for your organisation. You can read ACCAN's Position Statement here: www.accan.org.au/publicprocurement.
- Use your case studies to back up your case. Take opportunities to make submissions to relevant government policy reviews.
- Spread the word: connect with other disability organisations to share experience, knowledge, and what works.

3 Make your case!

- Use the information you have to raise the issue with politicians, advocacy groups, members or clients you regularly collaborate with.
- Send a letter to local, state, and federal politicians from all parties with your position statement or using the template provided.
- Request a follow up meeting with each politician to explain the issue further and ask for their perspective.
- At the meeting ask politicians what steps they will take to ensure government procurement includes accessibility criteria.
- Keep the discussion alive. Use the media, social media and your member networks to publicise strong case studies, link up with other organisations and keep the pressure on your contacts in government.
- Keep a look out for opportunities to express your views in a national roundtable on government ICT purchasing with key stakeholders including politicians, government officials, and suppliers.

Understanding Accessible ICT and the Power of the Public Dollar



What is the background?

Accessibility criteria in government ICT purchasing were first used in the USA as a method to improve employment opportunities of US public servants with disabilities. There was an amendment in Section 508 of the Rehabilitation Act stating that government employees with a disability should have the same access to office equipment as any other government employee. To do this, office equipment that was purchased by the government needed to be more accessible. The US federal government required all its departments and agencies to use accessibility criteria when putting out a tender for the supply of computers and phones. The criteria are called the Section 508 Guidelines. These Guidelines have recently been updated with some sections closely aligned with international W3C Web Content Accessibility Guidelines (WCAG) version 2. Large companies that strive to meet the Section 508 Guidelines may require their own suppliers to also meet these criteria thus creating a domino effect of accessibility.

The European Union, with 27 member countries, has also stated that accessibility criteria should be included in government purchasing. They have taken a slightly different approach to the USA by using the European standards organisations to write guidelines that take into account the Section 508 Guidelines. It is called Mandate 376. Future European legislation may make the guidelines mandatory. This standards work is under way and will include a toolkit to help suppliers of ICT goods and services to better understand what is involved with supplying products with accessible features.

What is happening in Australia

Australia does not have any accessibility criteria in its government ICT procurement policies. The number of people with disabilities employed by the Federal Government has been going backwards. The percentage of people with disabilities employed in the Commonwealth public service went from 5.5% in 1996 to 3.1% in 2010.²

However, Australia does have a Website Accessibility National Transition Strategy. This Strategy means that all government departments and agencies must have accessible websites to Level AA of the Web Content Accessibility Guidelines (WCAG) version 2 by the end of 2014. The government also is encouraging its departments and agencies to make sure any documents in PDF follow accessibility guidelines. Australia is in an odd position of supporting WCAG 2.0 but not accessibility criteria in public procurement.

Because many other countries are either preparing for accessible public procurement or have already introduced it, Australia can learn from their successes and failures and then introduce the best mechanisms for compliance to the public procurement system.

Moving from market failure to social action

There are two key arguments for including accessibility criteria in government ICT purchasing. One is the economic argument and the other is the human rights and social justice approach. For public procurement policies to have real outcomes for ICT consumers with a disability, advocates should consider a balance of both approaches.

The Economic Approach

Free market economics

Free market economics has been a hallmark of Australian government policy from the late 1980s. The assumption is that demand for goods and services naturally leads to greater availability of those goods and services. However the demand for accessible ICTs has not actually led to greater availability of these products in Australia. This is a **market failure**.

Market Failure

“Market failures occur when markets do not allocate goods and services in a way that maximises the overall welfare of the community”³

Because Australian government policy tends to take a free market approach, governments in Australia have generally shied away from interfering with market failure. For example, government addresses accessibility issues by employees with a disability through a workplace modification program which funds assistive technologies for individual employees. The challenge is that this requires particular expertise in assistive technology on the part of disability employment providers and IT staff in each agency. People with a disability report that workplace modification programs have not adequately met their needs.

² Australian Public Service Commission, 2010

³ A Productivity Commission Issues Paper on Climate Change Adaptation <http://www.pc.gov.au/projects/inquiry/climate-change-adaptation> , p.7.

Market Failure cont.

Focus group findings indicate a strong frustration by people with disabilities working in the public service. A respondent stated that “good people leave the public service because they are demoralised – not getting support for equipment, there is inaccessible software and promises to change work practices which do not occur”.

Right now, there is a perception among government stakeholders that there is no need to include accessibility criteria in its purchasing policy. Reasons may be perceived high costs, limited demand, and the perception that workplace modifications are adequate and cost-effective. The failure builds on itself when there are even less people with disabilities employed in the public service and thus the perception pervades that there is little demand for accessibility features in the ICT that the government procures.

Unmet demand

Unmet demand is an issue. Industry (and government) in Australia may not be aware of the advantage in having accessibility (and more user-friendly) features built into products. In contrast, Japan with a rapidly ageing population, recognises the value of technology for social benefit. One of the major telecommunications companies, NTT, has successfully sold 14 million Raku Raku phones designed for the older age brackets but these are more generally popular because of their user-friendly features. Telstra, after years of consumer lobbying, designed and developed a mobile phone called the EasyTouch Discovery with features attractive to older people and this was the second highest selling mobile phone for the Christmas season of 2008, thus indicating a larger market than was originally envisaged.

A business case

There is a growing realisation that there is a business case for advancing ICT accessibility. Companies are starting to see an opportunity to gain consumer segments in a crowded market place thus meeting unmet demand. This is illustrated by the Business Taskforce on Accessible Technology and the OneVoice for Accessible ICT Coalition which in 2009 surveyed over 300 corporations in the UK on ICT accessibility. The study found that investing in accessible ICT met the following key business goals:

- Reach new markets
- Maximise employee engagement and productivity
- Provision of high quality products and services
- Improve supply chain management
- Build partner and community relations
- Minimise risk of legal action⁴

⁴ Accessible ICTs – Benefits to Business and Society, p. 3 at <http://www.btat.org/why-accessible-technology/business-case>

A business case cont.

The Business Taskforce on Accessible Technology established an Accessible Technology Charter in November 2011.⁵ This sets out 10 commitments that corporations should follow so that ICT accessibility is embedded throughout the organisation including HR, policy, staff awareness, employee workplace adjustments and procurement. There were 17 launch signatories including Cisco, Fujitsu, Microsoft and Oracle.

In Australia, the Australian Network on Disability (AND) works in partnership with the UK Business Taskforce to provide expert advice and services on disability to employers, government representatives and industry bodies. It is promoting the Accessible Technology Charter in Australia.

In the US, companies that were first spurred on by cases of legal complaint against them are now seeing that they can make money by making more accessible products for people with disabilities and older people. Apple and Microsoft have included accessibility features in their general products and this has made their products very popular with people with disabilities.

Universal or Inclusive design

Universal design or inclusive design is the concept of designing products and services for a wider section of the community based on seven key principles. It has the benefit that products may be more accessible not only for persons with disabilities, but for people who want to use more user-friendly technology. It also means that devices do not have to be retrofitted for accessibility. This is more effective and reduces costs significantly if the product can be mass-marketed.

Cost argument

The cost argument for any government spending is central to the government's need to ensure that taxpayers are not overly burdened. Therefore, the key tool for evaluating tenders is value for money.

Some products with accessibility features may be more expensive at the outset but the "whole of life" concept (or Total Cost of Ownership) needs to be considered as well. If the product does not initially have accessibility features and these have to be added later, this increases its cost. Graeme Innes of the Australian Human Rights Commission states that products can only be fit for purpose if they are accessible.

Building in accessibility criteria in government purchasing reduces the uncertainty of suppliers who may have products with accessibility features but are fearful of being undercut on price. They may not even list these features as options if they have not been specifically requested in tender documents.

User satisfaction also needs to be considered. If products have poor user interfaces, they will be more difficult to learn to use effectively, thus reducing the productivity of employees. As a general rule, products with accessibility features also tend to be more user-friendly.

⁵ <http://www.btat.org/charter>

⁶ <http://www.universaldesign.ie>

The Human Rights & Social Impact Approach

This argument is “priceless”. Government mandating accessibility features in the products it buys sends a clear message that this is important from a social impact perspective. Government can act as a role model in building an inclusive society by demonstrating its commitment to accessibility in its own workplaces and using its buying power to build increased awareness of accessibility among industry.

Based on international findings, information material has a very important part to play in working with suppliers to educate them on the social impact of improving accessibility.

Accessible Workplaces

With a more accessible workplace, it may mean that people with disabilities will find it easier to obtain work in the public service. Their work may be more effective because the hardware and software is suitable for them right from the start. It is encouraging, for example, that the ACT public service has Dragon Dictate on its network system for use by any employee.

Microsoft states: “Accessible technology helps businesses keep great employees, recruit from a larger pool of candidates, and enhance team collaboration and communication among all employees—including those with disabilities.”⁷

Australia’s Human Rights Obligations

Australia has signed and ratified the UN Convention on the Rights of Persons with Disabilities. Article 9 is on accessibility and its section 2(g) commits Australia to providing access to ICTs at an early stage, at affordable costs and section 2(h) commits Australia to promoting the design, development, production, and distribution of accessible ICTs.

The Australian government has responsibility for ensuring that it abides by these Articles. One key way is for it to stimulate the design, development, production and distribution of ICT (at an affordable cost) by mandating accessibility criteria in its own purchasing policy.

⁷ The Business Value of Integrating Accessible Technology into Business Organizations. Microsoft: <http://www.microsoft.com/enable/business/value.aspx>

The Key Stakeholders



ACCAN (Australian Communications Consumer Action Network) “is the peak body that represents all consumers on communications issues including telecommunications, broadband and emerging new services. We provide a strong, unified voice to industry and government as we work towards availability, accessibility and affordability of communications services for all Australians.”

<http://www.accan.org.au>

AGIMO (Australian Government Information Management Office) “works across government to maintain Australia's position as a leader in the productive application of information and communications technologies to government administration, information and services.”

It administers government purchasing programs and policies.

<http://www.finance.gov.au/procurement/index.html>

It also administers the Web Accessibility National Transition Strategy

<http://www.finance.gov.au/publications/wcag-2-implementation/index.html>

Australian Human Rights Commission leads “the promotion and protection of human rights in Australia by:

- making human rights values part of everyday life and language;
- empowering all people to understand and exercise their human rights;
- working with individuals, community, business and government to inspire action;
- keeping government accountable to national and international human rights standards;
- securing an Australian charter of rights.”

<http://www.humanrights.gov.au>

Australian Public Service Commission “promotes good practice in managing people, supports leadership and learning and development in the Australian Public Service (APS), fosters ethical behaviour and workplaces that value diversity.” In 2006, it released a report, Employment of People with Disability in the APS discussing methods to increase employment opportunities.

<http://www.apsc.gov.au/abilityatwork/introduction.htm>

Department of Finance. One of its key business groups is AGIMO. The Department sets overall policy for government finance.

<http://www.finance.gov.au/about-the-department/index.html>

Notes



