

NDA opening statement to JOC on Disability Matters and JOC on Autism: Accessibility in the Built Environment, Communication and Information

Introduction

The National Disability Authority (NDA) thanks the Chairs and the members of the Joint Committee on Disability Matters and the Joint Committee on Autism for the opportunity to present on the topic of **Accessibility in the Built Environment, Communication and Information**.

The NDA provides evidence informed advice to Government on disability and incorporates the Centre for Excellence in Universal Design, promoting Universal Design in the built environment, products, services and ICT. It is the only statutory Centre of its kind in the world.

Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible, by all people, regardless of their age, size, ability or disability. Accessibility is encompassed **within** Universal Design: if a universal design approach is applied from the outset, then accessibility becomes universal. This is reflected in Article 9 of the UNCRPD, and the UN Monitoring Committee's General Comment 2.

Built Environment

An accessible built environment is one in which the barriers to access by disabled people are removed or mitigated as far as possible. A Universal Design approach at planning stage can reduce the need for costly renovations at a later stage. The CEUD at the NDA has developed guidance for universally designed homes, places and facilities; early years learning and care settings; and the retrofit of long-term residential care settings among others. However, we believe that incorporating a requirement for a Universal Design approach in relevant regulations is necessary in order for this guidance to be routinely adopted. For example, we have called for a revision of Part M of the Building Regulations 2010 to include Universal Design, and to ensure that houses built are fully liveable for

disabled people, rather than just 'visitable'. We advise that all new housing projects progressed by the State should be universally designed, and that 10% of any development should be designed to UD+ standards, so that any wheelchair user can live in them. We also recommend the development of a National Standard on Housing that clearly sets out technical requirements for universally designed housing, so a consistent approach can be applied in all local authority areas.

Communications and Information

The Disability Act 2005 and the UNCPRD require all information and communications provided by a public body to be accessible for everyone. The NDA has developed a Code of Practice for Accessible Public Services setting out the detail of these requirements. We have recently revised the Code to include provisions to meet the needs of those with autism, users of Irish Sign Language, and to reflect the shift to digital services that was accelerated during the COVID-19 pandemic and look forward to this revised version being approved by the Minister in due course. The EU Web Accessibility Directive has brought additional obligations for public bodies to ensure their websites are accessible, and the NDA is the national monitoring body for the Directive in Ireland.

European Accessibility Act (EAA)

The EAA is due to be transposed into Irish law in 2022 and aims to ensure that there are more accessible products and services in the market at more competitive prices, with fewer barriers. A Universal Design approach will be key to implementation of the Directive in Ireland, and the NDA has advised that multiple parties will be involved to ensure implementation moves beyond the minimum required to avoid infringement proceedings, to a proactive approach to ensure standardised accessibility across both public and private sectors.

Consultation and Engagement

A Universal Design Approach requires the involvement of the widest possible range of users in the design phase, and a co-production approach to projects. This approach is also in keeping with UNCRPD and its requirement for the close

involvement of disabled people and their representative organisations in matters relevant to their lives. Consultation initiatives themselves should be universally designed in order to maximise the opportunities for engagement. Our recently launched Participation Matters guidelines¹ on consultation and engagement can offer support to all state actors in taking an inclusive approach to the projects in their remit.

Education

In order to promote awareness and take-up of Universal Design, the NDA advises the importance of including it in curricula at all levels of the education system, and particularly CPD for particular groups such as architects, engineers and IT professionals. A Universal Design approach should also be taken to promote learning for all, which includes provision of accommodations that anyone who needs to can avail of. We welcome the recent developments in this regard in the further and higher education sectors.

Monitoring and measuring

The obligations and duties for public bodies are clear, but the NDA's work to monitor progress across these areas shows there is still considerable work to be done to ensure accessibility is embedded as standard.

The first report submitted to the EU Commission on compliance with the Web Accessibility Directive at end of 2021², showed that of the websites and mobile apps we monitored, none were fully compliant with the Directive. However, our report shows that the majority of issues identified were common, and could be easily remedied if web providers across the public sector gave greater focus to their obligations with regard to accessibility.

We are currently exploring structured mechanisms for monitoring compliance with Part 3 of the Disability Act, and will be engaging with all departments to

¹ [Participation Matters: Guidelines on implementing the obligation to meaningfully engage with disabled people in public decision making | The National Disability Authority \(nda.ie\)](#)

² [Monitoring Report EU WAD Ireland 2021 | The National Disability Authority \(nda.ie\)](#)

remind them of their obligations, and to guide on how to improve their performance where necessary, as initial desk monitoring shows a number of basic steps that could be taken.

The ability to monitor progress and present the data to public bodies is critical to encourage and track performance over time, and the NDA hopes to further enhance our monitoring capacity to help embed accessibility as standard in all public organisations.

Conclusion

The NDA and the CEUD advise that while Universal Design is recognised in legislation and several national policies and strategies, a structured and systematic approach is now required to embed it in practice. Making accessibility a consideration from design stage, through to procurement and on to delivery should become part of the standard operating procedures for all state actors to ensure everyone can be included. My colleagues and I would be pleased to answer any questions on these points, or the detail provided in our briefing document.

THANK YOU