



REGIONAL
DISTRICT
OF NANAIMO

ACCESSIBLE BRITISH COLUMBIA ACT REQUIREMENTS

RECOMMENDATION

That the staff report dated May 9, 2023, “Accessible British Columbia Act Requirements” be received for information.

BACKGROUND

The purpose of this report is to provide the Board with an update on the approach that staff are taking to fulfill the recent legislative changes requiring local governments to become more accessible organizations. Effective September 1, 2023, over 750 public sector organizations, including the Regional District of Nanaimo (RDN) will be required to establish an Accessibility Committee, an Accessibility Plan and a tool for receiving public feedback on accessibility in accordance with the *Accessible British Columbia Act* and *Regulation*. By complying with these requirements, the RDN will look to increase accessibility and remove barriers for areas under its jurisdiction that impede full participation of individuals with disabilities across the region. By continuing to create and improve on accessible and inclusive spaces, RDN will be better able to serve and welcome nearly one quarter of the population of BC that have a disability, as well as the people they travel with.¹

Accessible British Columbia Act

The *Accessible British Columbia Act* requires that prescribed organizations address barriers that have an impact on people’s abilities to enjoy full participation in their communities and includes requirements such as having a committee to identify barriers and advise on how to remove and prevent barriers, developing an accessibility plan and having a mechanism for public feedback.

Accessible British Columbia Regulation

The *Accessible British Columbia Regulation* prescribes local governments as organizations that must comply with the Act by September 1, 2023. Additional information regarding the Act and objectives of this legislation can be found at the following Provincial website:

<https://www2.gov.bc.ca/gov/content/governments/about-the-bcgovernment/accessibility/legislation>

The requirements of the *Accessible British Columbia Act* are as follows:

- Establish an Accessibility Committee (“Committee”) to:

¹ <https://www2.gov.bc.ca/gov/content/home/accessible-government/toolkit/audience-diversity>

- assist the organization in identifying barriers to individuals in or interacting with the organization.
 - advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.
 - be comprised of at least one-half persons with disabilities or individuals from organizations who support persons with disabilities and include at least one Indigenous person.
- Prepare an Accessibility Plan (“the Plan”) that:
 - identifies, removes, and prevents barriers to individuals in or interacting with the organization.
 - is reviewed and updated once every 3 years.
 - considers the following principles:
 - inclusion;
 - adaptability;
 - diversity;
 - collaboration;
 - self-determination;
 - universal design.
 - In developing or updating the Plan, an organization must consult with its Committee.
 - When updating the Plan, an organization must also consider public feedback.
- Provide a means to receive Public Feedback (“Public Feedback”) on:
 - the organization’s Plan.
 - barriers to individuals in or interacting with the organization.

Throughout April and May, staff have created an internal project team, began recruitment for a staff committee to address the *Accessible British Columbia Act* requirements for the RDN and worked to retain an external accessibility consultant to make content recommendations and prepare Plan drafts for the Committee’s input and feedback. Committee membership will reflect diverse accessibility requirements, which may include but are not limited to: developmental, pain-related, mobility, seeing, hearing, dexterity, mental-health related, learning and memory challenges. At least one Committee member will be Indigenous. RDN staff may also reach out to staff at organizations that support persons with disabilities and/or Indigenous organizations to ensure the Committee composition reflects the diversity of persons with disabilities in British Columbia and complies with the legislation.

Staff assigned to participate in and/or support the Committee may include Corporate Services, Development and Emergency Services, Recreation and Parks, Regional and Community Utilities and Transportation Services; the extent of involvement for each department will vary depending on which barriers are being discussed and which departments are involved in provision of services impacted by such barriers. In alignment with the Province of British Columbia, the Committee, Plan and Public Feedback mechanisms are intended to provide guidance about best practices for accessibility including desired accessibility outcomes and may result in recommendations regarding a variety of areas including: service delivery, employment, built environment, information and communication, transportation and procurement.

The Board may direct staff to have the Accessibility Committee review items and make recommendations in relation to matters of interest to the Board. Staff may also refer items that they are working on to the Accessibility Committee for review, prior to internal adoption and/or advancement to the Committee or Board.

Committee Terms of Reference will be developed collaboratively with Committee members to ensure the Committee provides a barrier-free experience to its members. The regulation does not specify whether the Committee and the Plan should be focused internally or externally. The RDN may choose to focus internally on employment policies and practices or look externally to accessibility barriers experienced by residents and/or

patrons. The Committee will be mandated to scope the RDN’s plan to consider both areas and to focus on integrating accessibility into how we function as an organization, both internally and for the public we serve.

A schedule of key milestones has been developed to strive for compliance with the legislation by September 2023 (See Schedule 1 Development of Initial Accessibility Plan Timeline below). The Province has not communicated any enforcement regime by the September 1, 2023 deadline.

Schedule 1 Development of Initial Accessibility Plan Timeline

Date	Action and Milestones
May 1	Recruitment for Accessibility Committee Membership begins
May 9	Information report to the Board on <i>Accessible British Columbia Act</i> requirements
May 19	Deadline for staff to submit applications for Committee membership, review applications and finalize Committee membership.
June 1 – August 31	A minimum of three half-day Committee meetings will be held on June 20, July 18 and August 22 to provide feedback to the Accessibility Consultant on proposed Accessibility Plan contents, subsequent Accessibility Plan drafts and to review the required RDN Public Feedback tool with an accessibility lens.
September 1	Date prescribed for having the Accessibility Committee, Plan and Public Feedback in place.
September 12	Report to the Board to on the Initial RDN Accessibility Plan
September 13	An RDN “Get Involved Page” seeking public feedback on the initial RDN Accessibility Plan and barriers to individuals interacting with the RDN will launch; will be integrated thereafter as a permanent means of receiving public feedback for continuous improvement on accessibility.

Completion of the initial RDN Accessibility Plan is a milestone and not a conclusion. Building on projects over the past several years that have included accessibility as an important consideration, the establishment of the Committee, development of the Plan and creation of a public feedback tool will foster a more accessible RDN that will continue to evolve over time. It is anticipated that some existing RDN policies, procedures and bylaws may be affected and potentially require revisions in coming years. Once the Committee, Plan and Public Feedback tools are in place, staff will consider whether the format for Board reports will be updated to identify Accessibility Plan alignment and implications, similar to the strategic plan alignment section. Additional reports will be presented to the Board at future meetings to provide updates as progress is made toward meeting the requirements of the legislation.

FINANCIAL IMPLICATIONS

The 2023 Financial Plan includes a budget of \$15,000 for completion of accessibility work, including an accessibility consultant to support internal capacity. The Communications and Engagement team has included the public feedback plan and accessibility components in their 2023 workplan.

Budget deliberations for 2024 and subsequent years will be, for the Board’s consideration, informed by input from the Accessibility Plan, Committee and public feedback received. This may include additional staff resources to support the new Provincial requirement, for 2024 and beyond.

STRATEGIC PLAN ALIGNMENT

Social Wellbeing - Make the Region a safe and vibrant place for all, with a focus on children and families in programs and planning.