# Stand Up For Your Rights:

# Web Accessibility

## A guide to standing up for your rights on access to information and web accessibility.



## About this guide

From this guide you will learn some steps you can take when you encounter websites which are difficult or impossible to navigate, and provide you with some practical ways to identify and address barriers to web accessibility.

It is reasonable to expect that you can independently use a website with your adaptive technology (screen reading software with speech or braille output or screen magnification software). However, in reality, there are still many websites which are not designed according to best practice standards and present barriers to people who are blind or have low vision.

While this guide has been developed with computer based web access in mind, it can also be applied to accessing smart phone apps, and accessing information more generally.

## What is advocacy?

Advocacy is a way of promoting, protecting, and ensuring full and equal enjoyment of all human rights which enables you to participate in any area of life you choose.

You may at times experience a barrier to your full participation in everyday life and seek to address this barrier. The action you take to address the barrier is known as advocacy.

## Self-advocacy skills

### Your vision impairment

If you experience a barrier to accessing information you may need to disclose that you are blind or have low vision. You will be more effective in self-advocating for access to information if you are knowledgeable about your level of vision impairment and you can clearly communicate your needs, and the benefits of meeting your needs (such as a company retaining you as a customer, protecting its reputation, and avoiding complaints of discrimination).

It is not necessary to disclose detailed medical or personal information about your vision impairment. However, in some instances, it may be of assistance to explain how particular aspects of a website are problematic. For instance, if you experience colour blindness, a particular colour scheme may make the website difficult to access; explaining that you are colour blind may assist to explain your difficulties. If you are blind, you may need to explain what screen reading software is and how you use it to access the internet. For example, “I am blind and access computers using screen reading software which reads the screen and converts the text to braille. When navigating the internet I use the keyboard to reach various elements such as headings and links”.

### Communication

Despite the existence of legislation which makes it unlawful to discriminate against a person with disability, many organisations may not have considered the accessibility needs of people who are blind or have low vision. Beginning your self-advocacy efforts with a simple assumption that the barriers you are experiencing are born out of ignorance is a good first approach.

To be an effective self-advocate, it helps to be able to communicate clearly and confidently, be proactive and assertive, while also being polite, respectful and patient. It is likely that you will have to discuss your matter with someone more than once to have it addressed, so when you first raise an issue, using positive language, like ‘inclusion’, ‘participation’ and ‘access’, may help to open up the lines of communication at this early stage, compared to using language like ‘discrimination’, ‘disadvantage’, and ‘exclusion’, even when it’s these circumstances you are trying to address. If you are becoming frustrated with a situation, be mindful not to come across too aggressively; staying calm and focused is more likely to get you a considered hearing and keep the lines of communication open.

### Avoid stereotypes and assumptions

While you are the expert in your own vision condition and the changes which need to be made for information to be accessible to you, it is important to avoid perpetuating stereotypes and assumptions which are made about providing accessible information generally.

When you propose solutions to the barriers you encounter in accessing information, it is helpful to be clear that these solutions would benefit you, and perhaps others, but it is best not to claim that these solutions will provide access for all.

### Tenacity and resilience

You can’t put the same amount of energy into every accessibility issue, so picking your battles and thinking about what efforts are needed is important to ensure you have the resources, resilience, and patience to commit to the effort and consider how much it impacts your life. While some barriers you are attempting to address may be an easy fix, others may be a long-haul, and you may need to take a slow and steady approach in the energy you devote to them.

### Be prepared

Good preparation is an essential element in assisting you to be assertive and feel more confident in asking for what you need. Keep notes, including dates and times of conversations, people spoken to / communicated with and results and agreements made in conversations. This is important should you wish to escalate the matter to senior personnel or lodge a formal complaint in the future.

## Web accessibility

### WCAG 2.0

Web Content Accessibility Guidelines 2.0 (WCAG 2.0) is the national and international best practice standard for the accessibility of online content and design of websites for universal access (access by people regardless of ability and the methods used to access the web). In addition to WCAG 2.0 the Australian Government’s Digital Service Standard establishes the criteria that all Australian digital government services must meet to ensure they are technically compliant against WCAG 2.0.

WCAG 2.0 covers a wide range of recommendations for making web content more accessible to people with disabilities, including people who are blind or have low vision or who have a print disability. A website that is WCAG2.0 compliant means that you should expect to find that:

* alternative text is provided for all important non-text content such as images and graphical links
* all pre-produced videos will have captions
* all websites are easily navigable for a screen reader, and are navigable by keyboard
* all websites will have high colour contrasts and if any audio plays on the website, the audio will have adjustable volume and play and pause mechanisms
* users can adjust, pause, and play any timed sequences, such as a slideshow, on websites
* websites will not have elements which flash more than three times per second. Your right to access information

### The United Nations Convention on the Rights of Persons with Disabilities

Article 9 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) recognises access to information and communications technologies, including the web, as a basic human right. Australia has ratified the Convention and policies and practices should be implemented having regard to these obligations under the Convention.

### The Disability Discrimination Act 1992

The Disability Discrimination Act 1992 (the DDA) is Commonwealth legislation which makes it unlawful to discriminate against a person with a disability.

The DDA defines two types of discrimination against a person with a disability: direct and indirect. Direct discrimination occurs when a person is ‘treated less favourably than a person without a disability’ (section 5), or when there is a failure to make reasonable adjustments. Disability discrimination can also occur indirectly (section 6) such as when a requirement is imposed which a person cannot meet because of their disability. There may also be indirect discrimination if a person with disability could meet the requirement if reasonable adjustments were made, and those adjustments are not made. The DDA covers a range of areas where there may be discrimination, including education (section 22), employment (Division 1, sections 15 - 21B) and the provision of goods, services and facilities (section 24).

Companies frequently use websites to offer their goods and services for sale and in addition to the DDA, the Australian Human Rights Commission (AHRC) has published the “World Wide Web Access: Disability Discrimination Act Advisory Notes” which provide guidance about how to minimise the risk of complaints under the DDA. The Notes endorse WCAG 2.0 but do not have direct legal force, nor are they a substitute for the provisions of the DDA or other anti-discrimination law. However, the AHRC and other anti-discrimination agencies may consider the Notes in dealing with complaints of disability discrimination.

## What can you do when you encounter a barrier to accessing websites or any other information?

### Identify the barrier

You may go to a website and find that you are having difficulty with such things as:

* reading information
* navigating and finding things on a web page
* knowing what “graphic, graphic” relates to
* activating buttons
* reading field labels when navigating through a form
* working with CAPTCHAs (graphics containing letters for you to copy, or other ways of testing that you are a human and not a computer).

When you encounter barriers, there are some basic, and perhaps seemingly obvious things you should first try, including:

* closing all programs, re-starting your computer, and starting your browser again. This is one of those things which is basic trouble shooting, but easy to forget to do
* repeating steps. Try exactly the same process you originally went through to get to the website that is causing the problem, and see if you find the same issues
* consulting with others who use the same and similar adaptive technology as you use
* consulting with Vision Australia’s Adaptive Technology Helpdesk. You can contact the Helpdesk by calling 1300 847 466 or by emailing athelp@visonaustralia.org

It can be useful to know whether other people who are blind or have low vision are encountering the same difficulties on a particular website as you, or whether the issue may be limited to your computer setup. You can check in with others by subscribing to email lists and social media platforms which discuss adaptive technology. See Related resources at end.

### Contact Vision Australia Adaptive Technology Helpdesk

Vision Australia’s Adaptive Technology Helpdesk is staffed by access technology specialists who are experienced in both setting up and training in adaptive technology products in a range of environments. The staff can assist you to establish whether there are issues with your combination of technology, your skills in using the web pages you’ve encountered, or confirm that there are access barriers on the particular website. Staff on the Helpdesk may also be able to identify if you have a problem with your computer that requires an IT person to fix it.

Whilst Helpdesk staff cannot provide a complete assessment of a web page for accessibility, they may be able to give you enough guidance and technical terminology to use so that you can raise your difficulties with the company or organisation concerned. This may include things like:

* link text does not describe the page it navigates to
* images do not have text descriptions (known as alt attributes)
* fields in a form are not labelled
* the page does not contain headings for easy navigation
* the CAPTCHA is not accessible.

It is not necessary for you to know the technical details of what is causing you problems with accessing a website, but it is useful for you to be able to convey information such as what technology and version of operating system and browser you are using, what you were trying to do, and what your experience was. For example:

* I am blind and access computers using screen reading software which reads a computer screen and converts the information to speech/braille.
* I have low vision and access my computer using screen magnification software.
* As I am unable to use a mouse I rely on navigating using a keyboard. When I navigate with the keyboard I am unable to get to the submit button.
* The technology I use is <name the software and version> using <synthetic voice or braille display>.
* I went to your organisation’s website to purchase a product, and found many of the links were spoken in a nonsensical way.

It may be helpful to explain what the screen reader speaks when it encounters graphics or links. For example, “When I tab through the page, there seems to be a number of graphics where my screen reader just says ‘graphic’ and does not indicate what the graphic is for”.

Website accessibility audits can be provided as a commercial service to organisations by independent experts in web accessibility. Vision Australia provides these types of services.

### Contact the provider

If the information you are attempting to access is from a business providing you with individual or personalised goods and/or services (such as utilities, telecommunications, or a health or community service), it is reasonable to request that the information is provided in the most appropriate accessible format for your needs. Generally, information such as invoices and some education materials are relatively easy to produce in an accessible format upon request; specify the information you are attempting to access, where or how you are making this attempt, how it has impacted you, and what could be changed in order for you to access the information.

If you encounter information that is not accessible to you, start by contacting the provider (organisation, business, company, government agency) directly. If you are contacting them about accessing a website, it is useful to try and find out who would be the best person to receive your feedback; you can do this by asking to speak to somebody about, “technical access issues with the website”. This might help you to get past the front-line call centre operators through to somebody with more technical knowledge.

Some organisations and companies have a link on their website home page entitled ‘Accessibility’ and this link may assist you with directing your issue to the right department. Alternatively, the link may take you to a web form or email that you must complete and submit online.

Some organisations have their address, phone, and other contact information on the front page of their website. However many organisations provide contact information via a link, usually labelled “Contact Us”.

Some organisations can only be contacted via a web form which is usually provided on the “Contact Us” page. If you can, save the page containing your enquiry or complaint and note the time and date you submitted it.

## Key information

Information that you may consider including in your communications to an organisation includes:

* Subject. In your email or letter the subject line should identify your correspondence as relating to web accessibility for people with disabilities. To increase the likelihood that your email is referred beyond the call centre level (where accessibility is not likely to be well understood) to somebody with technical expertise the subject line should also include a reference to technical access issues with the website.
* Disclosure. An explanation about the relevant aspects of your vision impairment and how you access web pages.
* Your status as a customer or why you came to visit the website.
* The website address(s) where you encountered the problem(s).
* The key strokes you used or what you did and the result (that is, what was or was not spoken for example).
* How the inaccessibility has impacted you (for instance, you were unable to find information or finalise a purchase).
* Arguments supporting the need to make the website accessible including good customer relationships management, and why it makes good business sense to address these issues – for instance, you have been a loyal customer for many years and the organisation should be supporting you to shop with the same ease and independence as the rest of the community.
* The operating system, browser version, screen access software and version you are using.
* A request for action, for instance, an indication of when the organisation will make the website accessible.
* A time frame for the organisation to get back to you in order for you to consider your next steps.

A sample letter is provided at the end of this document which incorporates many of these elements. You can use this letter as a guide as to how you might go about writing your own letter or email.

### Making a complaint

If you have approached an organisation directly and have received a poor response, or no response at all, you may wish to consider lodging a complaint. You can do this in a number of ways; either by accessing the organisation’s internal complaints procedures, approaching the relevant government body, industry association, council or ombudsman (if there is one), or contacting the AHRC or any of the state-based anti-discrimination commissions and boards in respect of alleged discrimination. There is no requirement to exhaust an organisation’s internal complaints procedures before approaching the AHRC or other commissions or boards. These complaints handling services are free, and a person does not need a lawyer to make a complaint. A complaint can be in English or another language. A translator can be provided if required. Information about this process can be obtained by contacting Vision Australia’s Advocacy team or the AHRC.

### Using social media

If you are unable to obtain information in an accessible format via direct engagement with the organisation, and you don’t want to lodge a complaint with an external body like the AHRC, social media can be an effective tool for enabling change as many organisations want to protect their reputation and will respond quickly to negative publicity posted on public forums like Facebook and Twitter.

If you decide to use social media, your post should be worded in a similar way as you would write a complaint, including outlining the information you are attempting to access, where or how you are making this attempt, how it has impacted you and what could be changed in order for you to access the information. Even though social media is used to connect socially, when you use it as a tool for self-advocacy, it is best to adopt a reasonable tone and be succinct. As social media is a very public forum, it’s best to avoid including any personal information, such as contact details or particular details about your vision impairment.

Business social media accounts may not be monitored by the person who will be able to address your issue, so your post may be referred to another person within the organisation. It’s also important to remember that while social media is used all hours socially, business accounts are generally only monitored during business hours, so your response time may be limited to those hours.

## Other common scenarios

### Website is developed by a third party company

Companies often engage the services of a third party web developer to create their website. However, responsibility for the website, its content, and its accessibility lies with the organisation, not the external developer.

### Website is developed and hosted overseas

The DDA applies to discrimination which occurs in Australia. However, if a company or organisation is based overseas but explicitly provides goods and services in Australia (for instance, an international airline licenced to operate services into Australia) it may be argued that the DDA applies and the website should be accessible.

### Willingness to address the accessibility barrier

If you receive a response indicating that the organisation is keen to address the issue, it is important to remember that you don’t have to take responsibility for solving the problem, or being solely responsible for testing or signing off on the solution. In fact, in many instances it is not advisable to attempt to offer a solution, as what you might propose may be unwittingly detrimental to other people with disabilities accessing the internet in different ways. At the same time however, it is important that the solution addresses the particular barriers you have experienced. This may mean you need to be prepared to do some testing yourself.

We strongly urge organisations to engage the services of an independent web accessibility expert who can liaise with a range of people who are blind or have low vision to ensure the resolution of the accessibility issue will meet the needs of as many people as possible, for example, people who use both speech and braille output, as well as screen magnification.

## Sample email / letter

Below is an example of a letter to an organisation which has a website which presents accessibility barriers for someone using a screen reader with speech output. It is a guide only and should be adapted to suit your own technology and circumstances and the particular accessibility issues you encounter.

Email: Insert email address

Subject: Technical access issue with your website for people with disabilities

Dear Sir/Madam

I am writing about the accessibility of your website for people with disabilities. I am blind and use screen reading software (which reads the computer screen and outputs the information in synthetic voice). I also need to navigate web pages using the keyboard, rather than a mouse.

I have recently been made aware of your products through a friend, and would like to make a purchase online. However, when I attempted to use your website I was unable to complete the purchase due to some technical accessibility barriers on your web page.

I initially visited the front page at: <Insert URL/web page address>. As I was navigating the page with the down arrow key, I found a lot of things which did not have text describing what they were. For instance, under the heading for the main daily feature product my screen reader read out as I was arrowing down, “graphic main image” “graphic thumb nail.”

There was information my screen reader could identify, namely:

“Dollar fifty four point nine five” “plus dollar six point nine five shipping first unit” “Left Paren additional units ship for dollar two point 00”. However, this was followed by further reading which was nonsensical, it sounded like, “Link gim slash fifteen thousand two hundred ninety eight” “Link” “Link”. These graphics, thumb nails and links had no text description which could be read by my screen reading software to help identify their function.

Further, I could not identify a link or button on the page to indicate how to buy the product, and so I could not make my purchase. It is very disappointing that I do not have the same opportunities to access the same products as the rest of the community simply because your website appears not to have been designed with accessibility in mind.

The rights of people with a disability have been recognised internationally, in a United Nations convention. The convention says that access to information and communications technologies, including the web, is a basic human right. The WCAG 2.0 (Web Content Accessibility Guidelines) were created to ensure that everyone has access to websites. There are also federal and state laws that protect the rights of people with a disability, such as the Disability Discrimination Act.

Would you please let me know when I can expect your website to be fully accessible which will then allow me to shop with the same ease and independence as the rest of the community?

To assist you to address this issue, my computer environment is as follows:

* Operating System <insert operating system and version>
* Browser: <insert browser and version>
* Screen access software: <insert the screen access software and version >

If you have any questions, please let me know.

I would appreciate a response from you by <insert date>, so I may consider any next steps.

Yours sincerely

<insert name>

<insert your contact information>

## Related resources

### Vision Australia Adaptive Technology Helpdesk

Telephone: 1300 847 466

Email: athelp@visionaustralia.org

#### Vision Impaired Persons email list (VIP-L)

To subscribe, send a blank email to subscribe-vip-l@freelists.org

#### Accessible Technology User’s Group (ATUG)

Meets formally by phone on the second Wednesday of the month (except December and January) and informally on a weekly basis on other Wednesdays.

To subscribe to the email list send a blank message to:

atug-subscribe@damorris.com

To join the phone conferences, held from 7.30 to 9.00pm on Wednesdays,

Phone: 03 8672 0100. Use the access code: 767 530 to join in.

#### Assistive Tech Community Help Desk

This is a closed Facebook based community. To request to join the group type, "Assistive Tech Community Help Desk" into the search box in Facebook or use the link: https://m.facebook.com/groups/1680677532184583?refid=27

## Further information

For information on self-advocacy strategies or to obtain this guide in another format, call Vision Australia’s advocacy team on 1300 847 466 or email advocacy@visionaustralia.org

#### Vision Australia’s Accessibility Toolkit

For information about web accessibility from Vision Australia’s Digital Access team go to:

http://www.visionaustralia.org/business-and-professionals/digital-access-consulting/accessibility-toolkit

#### World Wide Web Access: Disability Discrimination Act Advisory Notes

http://www.humanrights.gov.au/our-work/disability-rights/standards/world-wide-web-access-disability-discrimination-act-advisory#required

#### Web Accessibility Initiative

www.w3c.org/wai

#### Australian Human Rights Commission (AHRC)

National Information Service: 1300 656 419

Email: infoservice@humanrights.gov.au

Web: https://www.humanrights.gov.au/complaint-information

#### Anti-Discrimination Commission Queensland (ADCQ)

Statewide telephone information and enquiry line: 1300 130 670

Web: https://www.adcq.qld.gov.au/contact-us

#### Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

Enquiry Line: 1300 292 153

Web: http://www.humanrightscommission.vic.gov.au/making-a-complaint

#### Equal Opportunity Commission (WA)

Ph 08 9216 3900

Email: eoc@eoc.wa.gov.au

Web: http://www.eoc.wa.gov.au/complaints-inquiries/making-a-complaint

#### Anti-Discrimination Board NSW

Ph: 02 9268 5544 between 9am – 1pm and 2pm – 4pm

Email: adbcontact@justice.nsw.gov.au

Email: complaintsadb@justice.nsw.gov.au

Web: http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1\_makingacomplaint/adb1\_makingacomplaint.aspx

#### ACT Human Rights Commission

Ph: 02 6205 2222

Email: human.rights@act.gov.au

Web: http://hrc.act.gov.au/

#### Northern Territory Anti-Discrimination Commission

Ph: 1800 813 846

Email: antidiscrimination@nt.gov.au

Web: http://www.adc.nt.gov.au/index.html

#### Equal Opportunity Commission (SA)

Ph: 08 8207 1977 between 10am – 3pm

Email: eoc@agd.sa.gov.au

Web: http://www.eoc.sa.gov.au/eo-you/making-complaint

#### Equal Opportunity Tasmania

Ph: 03 6165 7515

Email: office@equalopportunity.tas.gov.au

Web: http://equalopportunity.tas.gov.au/complaints