

Cabinet 19 March 2018

Report title: Accessibility of Council Digital Services Scrutiny Commission: Response and Action Plan

Wards: All

Portfolio: Deputy Leader of the Council (Finance and Resources): Councillor Imogen Walker

Report Authorised by: Jackie Belton: Strategic Director for Corporate Resources

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Report summary

The Accessibility of Council Digital Services Scrutiny Commission was established in 2016. The Commission has now completed its work and submits its report to Cabinet. Cabinet is requested to consider the Commission's report and approve the action plan setting out the response to the Commission's findings.

Finance summary

There are no direct capital or revenue implications arising as a direct result of this report. However, it should be noted that in order to progress the Accessibility of the Council's Digital Services agenda then there are likely to be costs of c£500k in order to meet the recommendations of the Commission. At this stage these costs are still to be fully costed and implementation of recommendations will be contingent on appropriate budgets being identified.

Recommendations

1. To receive the report and recommendations of the Accessibility of Council Digital Services Scrutiny Commission (attached at Appendix 1).
2. To approve the activities within the action plan prepared in response to the Commission's findings (Appendix 2) in principal, subject to identification of appropriate budget, and to note the intention for it to be reviewed in September 2018 and September 2019.

1. Context

- 1.1 The Accessibility of Council Digital Services Commission was established in early 2016 following the submission of a proposal by Councillor Christopher Wellbelove and Councillor Marsha de Cordova, who co-chaired the Commission. This was approved by the Overview & Scrutiny Chair and Vice Chairs soon after, whereupon a third Member – Councillor Robert Hill – was appointed.
- 1.2 The Commission's key aims were to investigate how well Lambeth performs with regards to meeting accessibility standards and make recommendations for further development in order that the borough's digital service provision is seen as the gold standard.
- 1.3 The Commission held six meetings over an 18 month period. This began with a briefing with officers to explore the activity being undertaken on digital accessibility; the web content accessibility rating framework; the vast array of Lambeth digital platforms which existed and the issues this posed; and the value the Commission could add both through Members' expertise and by providing links with service users. Members went on to look at the website style guide and emerging benchmarking data, as well as feeding in their views to influence the development of the council's website and the plans for extensive user testing to provide comprehensive feedback on the strengths and weaknesses of the site in terms of accessibility.
- 1.4 In addition to this the Commission conducted visits to a local library and housing office to see first-hand the barriers faced by those with specific access requirements, and held a meeting with two Lambeth staff members with sensory impairments to receive feedback on the accessibility of the council's intranet and internet sites, and internal systems.
- 1.5 In response to the evidence gathered, the Commission formulated a draft report and set of recommendations. These were presented to the Overview & Scrutiny Committee (OSC) at its meeting on 19 October 2017. The committee agreed the report should be recommended to Cabinet for approval subject to clarification of two of the recommendations.

2. Proposal and Reasons

- 2.1 The Commission looked at various aspects of digital accessibility and makes recommendations in three main areas: website user interface improvements, frontline access and support, and procedures and processes.
- 2.2 The reasons for the Commission's recommendations are outlined in detail within the body of the Commission's report, at Appendix 1.
- 2.3 In response an action plan has been developed that outlines the response from the authority. This is attached at Appendix 2.
- 2.4 All services and functions are supportive of the commission's approach and recommendations. It is noted that many of the proposals are already underway and there is a general agreement to further improve focus on accessibility matters going forwards.
- 2.5 Under further investigation, the exact terminology used in recommendation 1 for the new target standard is not applicable according to the body who provide these accessibility standards themselves, but the intent of the recommendation is achievable even if the actual 'AAA' standard is not (see action plan for details). Like all digital development, there is a will to constantly improve and strive to reach the highest standards and Lambeth will embrace this ethos and work towards all the specific improvements requested. For clarity, Lambeth's main site www.lambeth.gov.uk is already

AA+ compliant (and also rated by SOCITM – the national Society of ICT Managers - as accessible) but many ancillary sites are not. In both cases, improvements will be made based on the commission's recommendations.

- 2.6 Enhanced training and awareness events, and more involved consultation with diverse user groups are already underway for frontline services. Work programmes including Your New Town Hall, Libraries refresh and Website accessibility improvements will manage many of the recommendations.
- 2.7 A great deal of the recommendations can be fulfilled within existing programmes and financing, or internal resource. The action plan shows that to enhance and expedite improvement to the levels recommended will require additional funding to be identified, currently estimated at approximately £500,000 in total, see action plan for detailed estimates. However, a great deal of this funding will fall within upcoming change projects such as the Customer and Digital strategy which will access transformation funds rather than require new capital, or contract refresh or replacement programmes where the commission recommendations would be considered within the procurement and financing process for those renewals. If transformation funds are not accessible, other funding would need to be sought for approximately £250,000, either drawing from existing projects or funding streams, or as a separate capital bid. Further executive decisions would be required to approve such funding. It should also be noted that the necessary improvement for each ancillary website averages at around £11,000 per site and while it is expected that the site owner would fund this, an inability to do so would also mean additional funding may be required.
- 2.8 There is broad agreement across leadership that our commitment to equality for all service users will be ever more focussed on the diverse needs demonstrated by the groups we are consulting with, and will continue to do so.

3. Finance

- 3.1 There are no direct capital or revenue implications arising as a direct result of this report. However, it should be noted that in order to progress the Accessibility of the Council's Digital Services agenda then there are likely to be costs of c£500k in order to meet the recommendations of the Commission. At this stage these costs are still to be fully costed and implementation of recommendations will be contingent on appropriate budgets being identified.

4. Legal and Democracy

- 4.1 Section 149 of the Equality Act 2010 'the public sector equality duty' requires public authorities to have due regard to the need to:
 - a) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under that act
 - b) Advance equality of opportunity between persons who share a relevant protected characteristic (i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment) and those who do not share it; and,
 - c) Foster good relations between those who share a protected characteristic and those who do not share it, which involves having due regard, in particular, to the need to:
 - (i) tackle prejudice; and,
 - (ii) promote understanding.

- 4.2 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including, in particular, steps to take account of disabled persons' disabilities; and,
 - (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- 4.3 Compliance with the duties in section 149 of the Act may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.
- 4.4 The Equality Duty must be complied with before and at the time that a particular policy is under consideration or decision is taken - that is, in the development of policy options, and in making a final decision. A public body cannot satisfy the Equality Duty by justifying a decision after it has been taken.
- 4.5 This proposed key decision was entered in the Forward Plan on 4 February and the necessary 28 clear days' notice has been given. In addition, the council's Constitution requires the report to be published on the website for five clear days before the proposed decision is approved by the Cabinet Member. Any representations received during this period must be considered by the decision-maker before the decision is taken. A further period of five clear days - the call-in period – must then elapse before the decision is enacted. If the decision is called in during this period, it cannot be enacted until the call-in has been considered and resolved.

5. Consultation and co-production

- 5.1 While the Commission did not specifically target external groups, much of its work involved working with and influencing officers internally. The three members of the commission fed in their own considerable experience in terms of IT and disabilities throughout the course of the commission's investigations to ensure the views and concerns of service users with whom they have links could be properly reflected.
- 5.2 Furthermore the Digital Accessibility Centre's audit of the Lambeth website – a key plank of the commission's evidence base – involved consultation with professionals with technical expertise in the relevant field.

6. Risk management

- 6.1 The principal risks relate to the council fulfilling its obligations under the Equality Act 2010 in terms of ensuring those who hold protected characteristics, as defined by the Act, are not significantly disadvantaged in terms of digital accessibility compared to those to do not. It is important to note too that if Lambeth as a local authority is not sufficiently accessible, this will act as a barrier not only to residents' ability to obtain critical information but also to participation and engagement more widely.
- 6.2 There is also a risk that a failure to provide sufficiently accessible online services could undermine the savings targets inherent in the Organisational Redesign 'contact and assessment' work stream.

6.3 In making its recommendations, the commission seeks to mitigate against these risks.

7. Equalities impact assessment

7.1 The commission's proposals seek to achieve a positive impact with respect to equalities, by ensuring that those with protected characteristics under the Equality Act 2010 – most notably disability – are properly catered for in terms of the provision of digital services by the council.

7.2 An EIA was conducted and reviewed by the corporate EIA panel on 20th February 2018. The panel agreed that the proposed measures would produce a positive impact with respect to equalities and most notably, disability.

8. Community safety

8.1 Not applicable.

9. Organisational implications

As stated in the paper and action plan, a will to prioritise accessibility improvements in digital and customer environments is necessary and should be endorsed across all areas. Existing internal resources are available to support the programme of work.

9.1 Environmental

Not applicable.

9.2 Staffing and accommodation

Not applicable.

9.3 Procurement

Not applicable.

9.4 Health

Not applicable.

10. Timetable for implementation

10.1 The expected timetable is as follows:

March 2018	Commission report, recommendations and action plan to be presented to Cabinet for consideration/approval
Late 2018	Six month update report to OSC on progress against recommendations
Late 2019	Twelve month update report to OSC on progress against recommendations

Audit Trail				
Consultation				
Name/Position	Lambeth directorate/department or partner	Date Sent	Date Received	Comments in para:
Councillor Imogen Walker	Deputy Leader of the Council (Finance & Resources)	06.03.18	08.03.18	
Councillor Sonia Winifred	Cabinet Member for Equalities and Culture	06.03.18	09.03.18	
Jackie Belton	Strategic Director, Corporate Resources	06.03.18	08.03.18	
Susanna Barnes	Service Manager, Libraries & Archives	06.03.08	06.03.18	
Dean Shoesmith	Head of Human Resources	06.03.18	08.03.18	
Jean Taylor	Acting Head of Equalities, Policy & Communications	06.03.18	08.03.18	
Nisar Visram	Finance, Corporate Resources	06.03.18	07.03.18	
Andrew Pavlou	Legal Services, Corporate Resources	06.03.18	08.03.18	
Henry Langford	Democratic Services, Corporate Resources	06.03.18	07.03.18	

Report History	
Original discussion with Cabinet Member	09.08.17
Report deadline	07.03.18
Date final report sent	09.03.18
Part II Exempt from Disclosure/confidential accompanying report?	No
Key decision report	Yes
Date first appeared on forward plan	04.01.18
Key decision reasons	3. Community impact
Background information	Accessibility of Council Digital Services Scrutiny Commission: Update Report and Draft Recommendations (Overview & Scrutiny Committee 19.10.17)
Appendices	Appendix 1: Accessibility of Council Digital Services Scrutiny Commission Report Appendix 2: Accessibility of Council Digital Services Scrutiny Commission Action Plan Appendix 3: Equalities Impact Assessment