

Draft

TERMS OF REFERENCE

Provincial/Municipal Accessibility Framework Working Group

1. Name of Working Group

The name of the Working Group will be the *Provincial/Municipal Accessibility Framework Working Group* (hereinafter referred to as "the Working Group").

2. Background

2.1 Accessibility for All

Nova Scotia has the highest incidence of disability in Canada, at about 20% of the population, the Canadian average is 14%. Nova Scotia also has the second oldest population in the country. As our population ages, the incidence of disability will increase.

Building accessible infrastructure benefits everyone. Automatic doors and curb-cuts are used by people pushing strollers or delivering supplies to office buildings; audible and visible stop announcements assists tourists and newcomers. Accessibility is for all!

2.2 UN Convention

On March 11, 2010, Canada ratified the UN Convention on the Rights of Persons with Disabilities, making a commitment to abide by the Convention and to monitor progress in promoting and protecting the human rights of people with disabilities in civil, cultural, economic, political and social life. Nova Scotia supported Canada in ratification.

2.3 Accessibility: A Provincial Government Priority – Impact on Local Government

In April 2017 the Province of Nova Scotia legislature passed by unanimous consent *An Act Respecting Accessibility in Nova Scotia*.

<http://www.nslegislature.ca/legc/PDFs/annual%20statutes/2017%20Spring/c002.pdf>.

This Act is the result of a collaborative process which involved extensive consultation with the disability community and other stakeholders. The goal is to make Nova Scotia accessible by 2030.

The Act is enabling legislation and provides a framework for action, including the development of standards. Municipalities will be a significant player in this endeavor, and will need to work with the Province and the disabled community to understand the requirements of the Act in achieving communities that are inclusive and responsive to persons with disabilities.

The Act requires municipalities to establish Accessibility Advisory Committees and to prepare Accessibility Plans. Municipalities would benefit from the expertise of the province and the disabled

community in developing terms of reference for the advisory committee, along with the development of a common template and guide.

The province has established a Nova Scotia Accessibility Directorate (NSAD) to support the implementation of the Act. As such, NSAD has proposed a partnership with municipalities to assist local government's role in realizing the vision of an Accessible Nova Scotia by 2030.

3. Mandate

The mandate of this joint working group will be to develop a Municipal Accessibility Planning Framework and Template that will assist municipalities in meeting their obligation under the Act to prepare accessibility plans. Such plans will, at a minimum, address the following subject areas:

- i. Delivery of municipal services,
- ii. Information and communications,
- iii. Public transportation and transportation infrastructure,
- iv. Employment,
- v. The built environment,
- vi. Education and awareness.

The Working Group will also assist the Province in designing an education and awareness program for municipal officials so they understand the benefits of the Act and the requirements for municipalities under the Act.

4. Principles

The Act clearly identifies its purpose in achieving accessibility by preventing and removing barriers for disabled people. It enables the development of standards through consultations with those impacted and with considerations for the accessibility objectives, the nature of the barriers, policies and practices, as well as any technical and economic considerations.

The following set of principles will guide the work of this working group:

- 4.1 **Access** – there should be no barriers that prevent a person from accessing places, goods, services, employment, information and other functions that are generally available to all.
- 4.2 **Fairness** – there should be no barriers that prevent a person from accessing those things that will give the person equality of opportunity and outcome.
- 4.3 **Alignment** – the Working Group must adhere to the Accessibility Act and complement existing rights-based legislation and conventions (e.g., *Nova Scotia Human Rights Act*, *Canadian Charter of Rights and Freedoms*, *U.N. Convention on the Rights of Persons with Disabilities*) and other provincial legislation that may pertain to accessibility or persons with disabilities.
- 4.4 **Universal design** – Access should be provided in a manner that minimizes barriers and differences based on a person's functional needs.

- 4.5 **Participation** – Persons with disabilities should be meaningfully involved in all stages and facets of the implementing the Accessibility Act, including preparing the municipal accessibility plans.
- 4.6 **Leadership** – the Government of Nova Scotia acknowledges that it must take a leadership position in the process of achieving an Accessible Nova Scotia. However, this leadership needs to be distributed to other levels of government, the private sector and non-governmental agencies. Municipalities will play a key role to achieving success.
- 4.7 **Progressive Realization** – Accountability for and achievement of a barrier-free Nova Scotia in a timely manner is essential. Timelines established should be aggressive but fair, taking into account the resources required to comply with a given standard.
- 4.8 **Prevention Responsibility** – the responsibility to remove and prevent barriers rests with the public or private organization that is responsible for establishing or perpetuating the barrier.

5. Composition

- 5.1 The Working Group will be comprised of up to 6 elected municipal representatives and municipal staff. Ideally the committee would represent Regional, Rural and Town Caucuses, and the disabled community. As well, the committee should possess knowledge in planning, capital budgeting, customer service, public works, communications and community service. Provincial representatives will be comprised of the Department of Municipal Affairs, and the Department of Justice. Other provincial agencies may be invited to meetings as the need arises.
- 5.2 The Committee will be Co-Chaired a Member of the UNSM and the Executive Director of the NSAD.
- 5.3 Decision making will be governed by a consensus approach.
- 5.4 Research support will be provided by the NSAD.

6. Meeting Schedule

- 6.1 The working group will aim to meet on a monthly basis, either by teleconference or face-to-face, to ensure that the tasks will be completed.
- 6.2 Records of discussion will be recorded in minutes and distributed in meeting materials.
- 6.3 Administrative support will be co-managed between the NSAD and UNSM.

7. Outcomes/Outputs

Two core outcomes are expected:

- 7.1 An Accessibility Framework for municipal government to prepare local accessibility plans, acceptable to the province;
- 7.2 An Accessibility Awareness and Education Program on the Act for local government.