Breaking Barriers:

Insights from the EOC's Cases

1. Introduction

Accessibility is a fundamental human right that goes beyond providing ramps; it involves creating inclusive environments that welcome everyone, especially persons with disabilities ("PWDs"), older adults, and children. This approach ensures dignified access to premises and equal access to goods, services and facilities ("GSF"), while also benefiting businesses by tapping into diverse spending power.

Many PWDs continue to face both visible and invisible barriers when accessing premises and GSF in their daily lives. While physical barriers can sometimes be overcome by alteration, invisible operational and attitudinal barriers are often overlooked, yet they significantly limit the right to accessibility. Recognising and addressing these barriers is essential to fostering genuine inclusivity. This guide draws on insights from past complaints handled by the Equal Opportunities Commission ("EOC") to provide recommendations for GSF providers and managers of premises, aiming to prevent and address operational and attitudinal barriers for PWDs, and to create a more accessible and inclusive physical and virtual environment.

Right to Accessibility

Article 9 of the United Nations Convention on the Rights of Persons with Disabilities ("UNCRPD") stipulates the right of PWDs to accessibility. To enable PWDs to live independently and participate fully in all aspects of life, State Parties shall take appropriate measures to ensure that PWDs access, on an equal basis with others, to the physical environment, transportation, information and communications, including information and communications technologies and systems, and to other facilities and services that are open or provided to the public, both in urban and rural areas. Additionally, Article 30 of the UNCRPD recognises the right of PWDs to participate on an equal basis with others in cultural life, recreation, leisure, and sport.

In Hong Kong, the Disability Discrimination Ordinance ("DDO") prohibits discrimination, harassment and victimisation on the ground of disability in access to premises, the provision of GSF, and the disposal and/ or management of premises.

- Under sections 6 and 25 of the DDO, it is unlawful for a person to discriminate against a PWD by refusing to allow the PWD access to, or the use of, any premises that the public is entitled or allowed to enter or

use, unless such provision of access to premises would impose an unjustifiable hardship on the person.

- Under sections 6, 26 and 28 of the DDO, it is unlawful for a provider of GSF or a manager of premises to discriminate against a PWD in the terms or conditions, or the manner, in which the GSF are provided, or in the way the manager affords the PWD access to any benefits or facilities, unless to do so would impose an unjustifiable hardship on the provider or manager.

The DDO prohibits both direct and indirect discrimination against PWDs based on his/ her disability:

- **Direct disability discrimination** may occur when a person with a disability is treated less favourably than someone without a disability in similar circumstances, on the ground of disability. For example, there may be direct discrimination if a restaurant refuses to provide service to a wheelchair user because of his/ her disability.

- **Indirect disability discrimination** involves imposing a seemingly neutral condition or requirement on everyone. However, this condition or requirement has a disproportionate adverse effect on a person with a disability, and its application is not justified in the relevant circumstances. For example, if the lift control buttons in a multi-storey building do not have braille, and that persons with visual impairments ("PVIs") are unable to identify the floor numbers on the buttons, it may give rise to indirect discrimination if the building owner does not provide any alternatives and that the arrangement cannot be justified.

Barriers to Accessibility

The World Health Organization defines barriers as "factors in a person's environment that, through their absence or presence, limit functioning and create disability." These include aspects such as an inaccessible physical environment, negative attitudes towards disability, a lack of relevant assistive technology, and services, systems and policies that are either nonexistent or that hinder the involvement of all people with a health condition in all areas of life. Based on the EOC's operational experience, three common types of barriers regarding PWDs accessing GSF and premises can be categorised as follows:

- **Physical barriers**: visible obstacles that impede movement or access, such as steps without ramps or doorways that are too narrow.

- **Operational barriers**: policies, procedures or practices that do not meet the needs of PWDs and may directly or indirectly restrict or obstruct their use of GSF and premises. For example, staff are not trained to assist customers with disabilities.

- **Attitudinal barriers**: behaviours that are consciously or subconsciously caused by prejudice, ignorance, misunderstanding or stereotypes towards PWDs. These behaviours include unfriendly attitudes towards PWDs or disability discrimination.

Over the years, complaints concerning the DDO have made up most complaints received by the EOC. By reviewing past complaint cases related to the DDO in relevant fields, we have identified common operational and attitudinal barriers, as outlined in the following chapters.

2. Operational Barriers

A. Discriminatory or Inflexible Policies Affecting PWDs

When policy or procedure planning does not adequately consider the perspectives of PWDs, they can result in discriminatory or inflexible policies that create systemic barriers, limiting PWDs' access to GSF and excluding their potential purchasing power.

Case Examples:

- **Require Designated Staff to Provide Basic Services without Reasonable Justification:** A banking service provider established a requirement in its internal guidelines, stating that staff of a designated rank were required to witness a customer with visual impairments when opening a bank account. Due to an insufficient number of staff holding the designated rank at the time, the customer with visual impairments was unable to access the service. This requirement was found to be more stringent for PWDs than for non-PWDs, as industry practice only stipulates that a staff member act as a witness, without specifying a designated rank.

- **Refund Option Not Accessible to All:** A customer with a disability purchased a drama ticket online. After the drama was cancelled, the event organiser offered only one refund option, requiring all customers to visit a designated venue in person for a cash refund. Some customers with certain disabilities who may experience more difficulties should be given more attention in this policy design process, such as providing alternative methods like refunds at different box offices or online.

- **Obtaining Diagnostic Proof within a Specified Timeframe**: A customer with diabetes presented a letter issued by a public hospital certifying his/ her diagnosis and condition, as well as the necessity to carry medical supplies (syringes, needles and insulin) in carry-on baggage when checking in. The airline rejected this, claiming that the customer had to provide a declaration completed by a doctor within ten days before the flight departure date, using a designated form provided by the airline. However, according to the Airport Authority Hong Kong, diabetic passengers are allowed to carry these medical supplies for in-flight use, subject to the provision of medical evidence only, with no restriction on obtaining airline-issued form(s) for a diagnosis within a specified timeframe.

B. Lack of Guidelines, Policies or Briefings for Serving PWDs

Without established protocols or reminders, staff may be uncertain about how to assist individuals with diverse needs, resulting in inconsistent and inadequate service provision that hinders accessibility for PWDs.

Case Examples:

- **Guidelines and Briefings Unavailable**: A restaurant staff member asked a customer in a wheelchair to leave, citing a lack of available seating despite vacant seats being present. It was later found that the restaurant had no guidelines or briefings in place for staff regarding accessibility issues.

- **Refusal of Service based on a Customer Notice:** A customer with eczema was denied service by a staff member who misinterpreted a notice for customers seeking further assistance. The notice simply stated that customers with eczema should inform the staff. However, the staff member mistakenly treated it as a blanket refusal of service, providing no further explanation for the denial.

C. Inadequate Initial Planning Considerations for Accessibility

When GSF are not carefully designed with the special needs of PWDs in mind from the outset, this typically results in significant operational barriers that hinder accessibility and incur higher costs for retrofitting. The EOC's complaint cases reveal that the special needs of PWDs are often overlooked during the planning and design stages.

Case Examples:

- **Longer Route to Accessible Entrance**: A wheelchair user had to take a more circuitous route to reach the accessible entrance of a shopping mall, resulting in a longer journey and additional time spent.
- **Limited Opening Hours for an Accessible Entrance:** A shopping mall closed its most accessible entrance at night, which featured fewer steps and a ramp. This forced PWDs to use the side entrance, which had wider steps and no ramp.
- **Feasible Ramp Access Not Planned**: An elderly adult, who has become a wheelchair user, has since been unable to enter or exit his/ her residence easily due to a step between the residence lobby and the lifts.
- **Heavy Doors along the Route**: A wheelchair user struggled to access the upper level of a shopping mall because all routes had heavy doors that swung shut after being pushed or pulled, with no automatic doors available to allow independent navigation or assistance.
- **Inaccessible Service Locations**: A wheelchair user was unable to access the safe deposit box located on an upper floor, which was only accessible by stairs, depriving them of physical access to the service.
- **Restricted Access to Elevators**: The accessible route to the passenger elevators for a restaurant passed through a retail shop, hence, a wheelchair user's dining experience at the restaurant was affected by the shop's opening hours.
- **Obstructed Views at Events**: A wheelchair user attended a concert where the designated seating was located in the back row, at the same horizontal level as the row in front. As a result, his/ her view was obstructed by the standing audience in front of him/ her.
- **Insufficient Space:** The manoeuvring space for wheelchair users in the accessible toilet was inadequate.
- **Inadequate Size of Accessible Parking Spaces**: An electric wheelchair user reported that the accessible parking space in a car park was too narrow and obstructed by pillars and neighbouring vehicles, making it difficult for them to manoeuvre and access their own vehicle.

D. Management and Maintenance Issues

Even when accessibility features are available, poor management and maintenance of accessible services and facilities can create significant barriers to accessibility.

Case Examples:

- **Restricted Access:** A wheelchair user found that the door of an accessible toilet in a hospital was marked with a sign stating "Staff only." However, this accessible toilet was originally intended to be open to both the public and hospital staff. This practice prevented him/ her from using the facility.
- **Broken Locks**: The door lock of an accessible toilet at a transport facility, which is frequently used by the general public, was broken for a period of time. As a result, wheelchair users were unable to use the toilet.
- **Blocked Ramps**: Some shop operators on the ground floor of a shopping mall blocked ramps with boxes, obstructing access for wheelchair users.
- **Obstruction**: The door to the barrier-free shower compartment in the swimming pool was blocked by chairs and tables.
- **Delayed Action**: An elderly adult who has become a wheelchair user has since been unable to enter or exit his/ her residence freely due to a step between the residence lobby and the lifts. The Owners' Corporation approved a motion to install a ramp in the lobby, but the work has been delayed because it was considered a lower priority than other projects.

E. Online Service Barriers

Online services are widespread today, but they can create barriers for some PWDs and those who are technologically inexperienced, limiting their access to GSF and premises. Users may encounter challenges due to visual or motor impairments, poor website or mobile design, limited digital literacy, or unreliable internet connectivity. Additionally, complex online booking systems and unclear navigation can further exclude these individuals, hindering their ability to fully engage with the available services.

Case Examples:

- **Inaccessible Website**: A person with a visual impairment encountered difficulties when purchasing flight tickets online from an airline's website. The person's screen reader was unable to interpret the date selection function due to design issues, and the CAPTCHA requirement did not provide alternative text at the payment stage, resulting in an unsuccessful transaction.

- **Online-only Bookings**: A person with a disability was unable to reserve a ticket for a museum because tickets could only be purchased online. There were no other options, such as walk-in purchases, telephone enquiries, or on-site assistance, available for those who have difficulty making reservations online.

F. Poor Staff Training and Awareness

Inadequate staff training can create significant barriers for PWDs. Without proper knowledge of accessibility needs and guidance on inclusive practices, staff may provide insufficient support, preventing PWDs from fully accessing resources and participating in activities.

Case Examples:

- **Misconceptions about Guidelines:** A staff member rejected an electric wheelchair user from bringing lithium-ion battery on board a flight, even though other staff members and industry regulations had confirmed that the request was permissible. The user had to negotiate with several staff members and was given different replies, which was unnecessary as the user was ultimately allowed to bring the battery.
- **Lack of Knowledge about Tactile Guide Paths:** A manager misplaced positional tiles instead of hazard warning tiles in specific locations due to insufficient understanding of the different types of tactile paving. Also, areas that were seldom used lacked tactile guide paths, which adversely affected wayfinding for PVIs.
- **Denial of Providing a Ramp**: A restaurant staff member informed a wheelchair user that portable ramps were unavailable, although it was later revealed that ramps were indeed on-site. This restaurant had previously addressed a similar complaint and had been reminded to ensure that proper accommodations were provided by their staff. This incident shows that staff awareness of providing assistance to customers with disabilities still needs to be improved.
- **Elevator Locked by Staff**: A wheelchair user was unable to access a temple because a staff member had locked the elevator with chains. The staff member could not explain the reasons for locking the elevator, highlighting a lack of training and awareness of accessibility protocols.
- **Discriminatory Treatment by Staff:** A professional at a service provider allegedly discriminated against a client with cerebral palsy by making fun of his/ her disability during a consultation session. It was found that the professional involved had not received relevant training in anti-discrimination laws prior to the incident.

G. Poor Awareness of Vicarious Liability

Under section 48 of the DDO, an employer is liable for unlawful acts done by its employees in the course of their employment with or without the knowledge or approval of such conduct on the part of the employer. However, employers who can prove that they have taken "reasonably practicable steps" in preventing their employees from engaging in unlawful acts in the course of employment may not be held vicariously liable.

Case Example:

- A service provider claimed to have taken steps to prevent discrimination by its staff through the circulation of equal opportunities policies and the provision of anti-discrimination training. However, it was later revealed that the provider had failed to deliver adequate and comprehensive equal opportunities policies to all staff, and had no system in place to ensure that staff acknowledged their understanding of the policy or attended the training.

3. Attitudinal Barriers

A. Refusal to Provide Services or Assistance

When staff deny services to PWDs, whether due to ignorance, bias, or rigid implementation of policies, it reinforces their exclusion. The EOC's complaints revealed that PWDs were being turned away from facilities, either directly or indirectly, or refused assistance. Such refusals violate their rights and perpetuate discrimination, discouraging PWDs from accessing GSF and premises.

Case Examples:

- **Refusal of Assistance**: A restaurant manager refused to remove a chair from a table to accommodate a wheelchair user, claiming there was no space to relocate it. The manager insisted that the wheelchair user sit on the sofa seat and place the wheelchair elsewhere, despite the individual being unable to leave the wheelchair.
- **Ignored Request for Access**: A bus driver ignored a request from a wheelchair user to lower the bus and deploy the ramp for wheelchair access, then drove away without allowing the passenger to board.
- **Rude Denial of Service**: A waiter at a restaurant rudely refused catering service to a wheelchair user, falsely claiming that no seats were available, despite there being vacant seats and ample space for the user to dine comfortably.

B. Unfriendly Treatment

Negative attitudes such as impatience, dismissiveness, or condescension not only make PWDs feel unwelcome, but may also constitute disability harassment, which is unlawful under the DDO. Disability harassment is defined as any unwelcome conduct on account of a person's disability where a reasonable person, having regard to all circumstances, would have anticipated that the person would be offended, humiliated, or intimidated.

Case Examples:

- **Harassing Remarks**: A professional used an arrogant tone and made harassing remarks on account of a client's disability during a consultation session, frightening the client and causing distress.
- **Hostile Attitude**: A person with a mental health condition attempted to cancel a service contract but encountered hostility from a frontline staff member, who failed to explain the terms clearly. The staff member's attitude worsened after the person disclosed his/ her disability status.

- **Angry Rejection of Request**: A wheelchair user and their companion requested a different seat at a restaurant, but a staff member angrily refused the request and asked them to leave the wheelchair at the entrance. The staff member claimed they were busy and did not serve them. As a result, the wheelchair user and their companion left the restaurant without receiving any service.

C. Poor Communication

In some cases, GSF providers may have valid reasons for not providing services to PWDs, which may be acceptable to PWDs. However, misunderstandings and frustration often arise from poor communication, leading to feelings of exclusion and dissatisfaction.

Case Examples of Service Denial without Explanation:

- A massage shop's frontline worker refused to provide a massage service to a client with eczema solely based on his/ her condition. The staff member did not explain that providing the service might exacerbate the client's condition.

- A staff member at a beauty salon refused to provide a facial treatment to a client with asthma, repeatedly stating that it was company policy not to serve individuals with asthma. The staff member did not explain that further medical advice could be sought if necessary.

D. Lack of Response to Complaints

Ignoring complaints from PWDs signals indifference and entrenches barriers. Unresolved grievances regarding accessibility issues leave them feeling unheard and marginalised.

Case Example:

- A person with multiple disabilities, including intellectual disabilities and autism, was warned not to touch anything in a retail store. After the person was scolded for lightly checking a product in a separate incident, their representative submitted two complaints directly to the retail chain but received no response.

4. Breaking Barriers

1. Policy Review

- **Conduct a Policy Review:** Identify and remove discriminatory practices, and amend inflexible internal policies and guidelines to allow for flexibility and discretion.

- **Ensure Adherence to Local Statutory Codes and Industry Guidelines:** Verify that internal policies comply with local statutory codes and industry guidelines, ensuring correct interpretation. For example, the *"Guidance for Airline Operators in Hong Kong: Facilitation of Persons with Reduced Mobility in Air Travel"* (issued by the Civil Aviation Department), the *"Practical Guideline on Barrier-free Banking Services"* (issued by the Hong Kong Association of Banks), and the *"Practical Guide on Universal Design for Catering Services"* (issued by the EOC).

- **Offer Reasonable Accommodation or Alternatives:** Recognise that PWDs may find it challenging to meet the same requirements as others. Reasonable accommodation ("RA") or alternatives should be provided to support PWDs. RA refers to any modifications or adjustments made to the provision of GSF or access to premises to ensure that PWDs have equal opportunities to access the service or premises. RA may include modifications made to the physical environment, policies, procedures or practices.

- **Establish Customer Service Protocols:** Develop clear guidelines and conduct regular briefings for staff on serving people with diverse needs. This should include the necessary skills and attitudes, such as implementing a zero-tolerance policy towards discrimination and harassment, refusing service or access to premises, or engaging in unwelcome acts based on a person's disability.

- **Develop Flexible Policies:** Provide multiple options for accessing services, including online, telephone and email support, as well as in-person assistance, particularly for essential public services such as document applications.

- **Implement Policies Effectively:** Ensure that all staff have a thorough understanding of internal policies and protocols and implement them effectively.

- **Enable Diverse Service Options:** Ensure access to service options for customers with diverse needs, such as providing more seating choices for wheelchair users in arts and sports venues.

- **Make Accessibility Information Available Online:** Provide online information about accessible facilities and services, and multiple methods for seeking assistance, allowing customers to plan their visits in advance.

For example, indicate accessibility features on websites and mobile app platforms.

Practical Examples:

➢ Offer more ticket purchase and refund options, including both online services and offline options at various box offices.
➢ Set aside an annual itemised budget for accessibility improvement works.

2. Accessibility Planning

- **Accessible Environment**: Provide an accessible environment unless doing so would cause unjustifiable hardship.
- **Universal Design ("UD") Principles:** Integrate UD from the beginning of any project rather than as an afterthought.[1] The key to UD is to put yourself in the shoes of those in need, creating products, services and environments that everyone can access and use.
- **Endeavour to Meet Access Standards:** Strive to meet the mandatory and recommended requirements outlined in the *Design Manual: Barrier Free Access (DMBFA) 2008,* or the latest available version of the DMBFA, as well as other best practices or guidelines. For example, ensure provisions for ramps and minimum door widths are met (refer to the EOC's self-assessment checklist under the Universal Design Award Scheme).
- **Accessibility Improvement Works**: Include accessibility upgrades in the building's maintenance programme and implement the approved improvements within a clear timeframe.
- **Prioritise High-Traffic Retrofits:** Focus on retrofitting inaccessible entrances, adding braille and tactile floor plans, and ensuring toilets are accessible, manoeuvrable and unobstructed.
- **Consultation with PWDs:** Involve PWDs in the initial planning and design phases to gain a better understanding of user perspectives.

Practical Examples:

- ➢ Wheelchair spaces are interspersed among regular seats in stadiums, performing arts venues or cinemas to provide more choices for PWDs and to prevent segregation, with companion seats located adjacent to these spaces.
- ➢ Parking spaces are designated to allow drivers with disabilities to fully open their car doors and place their wheelchairs.
- ➢ Extend the opening hours of entrances or elevators accessible to PWDs.
- ➢ Replace heavy swinging doors with automatic doors.
- ➢ Display signage that provides information on how to seek assistance with accessibility issues.

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[1] The seven principles of Universal Design: Equitable Use, Flexibility in Use, Simple and Intuitive Use, Perceptible Information, Tolerance for Error, Low Physical Effort, Size and Space for Approach and Use. (Source: North Carolina State University, 1997. *The Principles of Universal Design, version 2.0*)

3. Operational Maintenance

- **Accessibility Maintenance:** Establish an accessibility maintenance log and conduct regular inspections, including checks on elevator functionality, misuse of accessible toilets, damaged ramps, and inadequate signage.
- **Access Officer:** Assign an "Access Officer" to oversee compliance with accessibility standards, develop and implement policies, and conduct regular assessments to identify and address accessibility issues, including institutional, operational and attitudinal barriers.

Practical Examples:

➢ Keep the accessible toilets doors open and provide information on how to obtain assistance if the door is locked for any reason.
➢ Display reminders for the public to refrain from misusing the accessible toilet, such as: "Please keep it free for those who need it."
➢ Ensure that the route to the lifts remains unobstructed for easy access.

4. Digital Accessibility

- **Adopt Accessible Website and Mobile Design:** Implement accessibility features in websites and mobile applications. Examples from the Web Content Accessibility Guidelines (WCAG) 2.2 include:
  - Provide text alternatives ("Alt text") for images, videos, and other non-text content.
  - Use high-contrast colour schemes and resizable fonts.
  - Ensure keyboard navigability and screen reader compatibility (e.g., ensure that the HTML content of a webpage is logically coded so that screen readers can interpret it correctly).
  - Clearly label interactive elements (e.g., buttons and forms).
  - Avoid time-limited actions without the possibility of extension (e.g., session timeouts).
  - Provide alternative forms of CAPTCHA to accommodate different types of sensory perception, such as audio CAPTCHA.
  - Provide a consistent and straightforward navigation structure for the user interface.

- **Conduct Regular Accessibility Audits:** Engage PWDs in user testing to identify barriers wherever possible.

Practical Example:

- Before rectification of website, screen readers are unable to interpret images that lack textual descriptions.

- After rectification of website, textual descriptions for all images are provided so that screen readers can interpret them.

5. Staff Training and Accountability

- **Comprehensive Training for Frontline Staff:** Offer training on equal opportunities and anti-discrimination for staff who interact with people with diverse needs (e.g., disability etiquette and tips on handling service animals) to ensure high-quality service and prevent discrimination.
- **Knowledge of Accessible Facilities and Services:** Ensure that all staff have a thorough understanding of the available accessible facilities and services so they can provide the necessary assistance. For example, they should know how to place a portable ramp and the locations of accessible toilets, among other things.
- **Equal Opportunities Training for Management:** Provide training for management to ensure that corporate policy planning is non-discriminatory and promotes inclusivity. For example, workshops on understanding the special needs of people with various disabilities in their journey to accessing services and premises.
- **Compliance Awareness Training:** Raise awareness of legal obligations under anti-discrimination laws to eliminate discrimination and harassment, including the rights and responsibilities of both employees and employers, especially employer's vicarious liability for unlawful acts.
- **Sensitivity Training:** Equip staff with the skills and attitudes necessary to deliver high-quality service by providing sensitivity training designed to enhance their understanding of the diversity of disabilities and to reduce stereotypes about customers with varying needs, such as simulation workshops.
- **Ensure Attendance:** Make sure that all staff have attended anti-discrimination training and maintain records to ensure accountability.

Practical Example:

➤ A tool card designed to assist customers with hearing impairments.

6. Communication Improvements for Frontline Staff

- **Introduce Yourself**: Let customers know who you are and that you are available to assist them.
- **Avoid Assumptions**: Refrain from making assumptions about people's abilities and needs. Provide choices and respect their dignity, just as you would for anyone else.
- **Engage Directly**: Always speak or communicate directly and face-to-face with customers who have needs (especially those who rely on lip reading).
- **Ask for Assistance**: Don't hesitate to ask, "Would you like any assistance?" or "How may I assist you?"
- **Be Patient**: Be prepared to clarify or repeat information as needed.
- **Provide Written or Visual Aids**: Provide written or visual information when necessary.

Practical Examples:

- For PVIs, if they accept assistance with guidance, offer your elbow for them to hold. Walk at a normal pace and describe any obstacles ahead (e.g., "We're approaching a step down"). Indicate direction using "clock-face" spatial language (e.g., "Turn to the 2 o'clock position" is preferable to "A little to the right").
- For persons with hearing impairments, offer writing tools if necessary, such as a pen and paper, a notes app on your phone, or typing on a computer screen. You may also use a speech-to-text mobile app for communication if they cannot lip-read and you do not know sign language.
- For persons with intellectual or cognitive disabilities, speak in short sentences using simple language, and consider incorporating visual aids.

7. Appropriate Attendance to Feedback and Complaints

- **Offer Multiple Channels:** Provide multiple options for submitting feedback or lodging complaints, including online forms, email, telephone, live chat, or in-person visits.
- **Provide Accessible Feedback Forms:** Ensure that large-print and easy-to-read versions of feedback forms are readily available.
- **Assign a Complaints Officer:** Designate a staff member to manage complaints and ensure compliance with procedures.
- **Establish Clear Procedures:** Develop complaint handling procedures and ensure that all relevant parties are informed of them.
- **Avoid the "Referral Roundabout":** Designate a single contact person to handle each complaint, as it can be frustrating for complainants to deal with multiple contacts.
- **Keep Complainants and Respondents Informed:** Acknowledge receipt of the complaint, provide an estimated response time, and inform them who the responsible contact person will be for follow-up. If more time is needed, provide an interim response.
- **Record Keeping:** Maintain detailed records of every complaint received, updating them as actions are taken and including the overall outcome. Ensure these records comply with privacy requirements and are monitored for recurring issues.
- **Fair Handling and Outcome:** Ensure that the handling process and outcomes are fair. The pain points and resolutions identified in complaints can be used to generate key takeaways, enhance staff training, and improve service quality.

Practical Example:

➢ A website providing an online complaint or feedback form, such as "Complaint", "Your Views" or "Contact Us".

8. Make Use of Assistive Technology

Advancements in assistive technology have greatly enhanced the independence of PWDs, allowing greater participation in daily activities and creating an untapped market of consumers with diverse needs. GSF providers and managers of premises should utilise these tools to improve accessibility and broaden their customer base.

Key Innovations and Applications:

- **Communication**: Screen readers vocalise digital information for PVIs, while voice recognition software enables users with limited hand mobility to type using speech and control devices.
- **Media and Entertainment**: Closed captions, subtitles, and audio descriptions make television programmes and films accessible to audiences with hearing or visual impairments.
- **Arts and Culture**: Tools such as sensory maps, noise-cancelling ear defenders, and fidget tools help neurodivergent visitors enjoy museums by reducing sensory overload and anxiety. Also, virtual reality can create immersive experiences that enable wheelchair users to explore environments that may not be physically accessible to them.
- **Sports Inclusion**: Technologies such as vision pads enhance the experience for PVIs by providing real-time updates during football matches, basketball games, and other sporting events.

Practical Examples:

- ➤ A handheld device with haptic feedback that enables PVIs to "feel" football games. It uses a small magnetic ring to guide the user's finger around the tablet.
- ➤ A concert provided vibration vests for audience members with hearing impairments, allowing them to feel the music's vibrations. It also offered theatrical interpretation that conveyed the content of the songs, the mood of the lyrics, and even the rhythm and emotion of the music, enabling the audience to fully experience the concert's atmosphere and rhythm.

Self-Assessment Checklist

The checklist below helps you assess your organisation's level of disability inclusiveness.

◇ **Policies and Procedures**

- ☐ Do you have policies or practices that apply a condition to all but may adversely affect some groups of PWDs?
- ☐ Other than complying with industry guidelines, do the above policies take into account the anti-discrimination laws? E.g., balancing the special needs of PWDs by providing accommodation as needed.
- ☐ Do these policies explicitly state that the organisation has zero tolerance for discrimination and harassment in service delivery and the workplace?
- ☐ Are there customer service protocols for serving people with diverse needs?
- ☐ Are staff aware of these customer service protocols?
- ☐ Is there a system in place to ensure the effective implementation of your internal policies and protocols?
- ☐ Do you ensure access to diverse service options for customers with diverse needs? E.g., different seating options for wheelchair users.
- ☐ Do you provide multiple channels for accessing services, such as online, telephone, and in-person assistance?

◇ **Accessibility Planning and Maintenance**

- ☐ Are you committed to providing an accessible environment for everyone?
- ☐ Are your premises easy to enter and navigate?
- ☐ Do you include the universal design principles in the early stages of a project? If not, please make an action plan and set aside budget for implementation.
- ☐ Do you keep an accessibility maintenance log and conduct regular inspections?
- ☐ Is there designated staff responsible for overseeing compliance with accessibility standards and developing possible improvements?
- ☐ Are accessibility improvement projects included in your maintenance programme?

If you have accessibility improvement projects,

- ☐ are high-traffic retrofits prioritised?
- ☐ have you established a clear timeframe for completion?
- ☐ have you consulted with PWDs during the planning process, if appropriate?

◇ **Digital Accessibility**

- ☐ Do you implement accessible design for both your website and mobile applications? How accessible are they?
- ☐ Do you conduct regular accessibility audits of your website and mobile applications?
- ☐ Do you receive any complaints or clients' feedback on the design? If yes, what are the key takeaways to prevent future complaints?

◇ **Staff Training**

☐ Do you provide comprehensive training for all staff on anti-discrimination laws, as well as the skills and attitudes necessary for communicating with PWDs?

☐ Do staff have a good understanding of established internal and client-facing policies, as well as the available accessible services and facilities?

☐ Do you encourage staff to serve PWDs with a positive attitude and provide necessary assistance during briefings or meetings?

☐ Is there a system to ensure that all staff have attended briefings, training and understand the internal and client-facing policies?

◇ **Accessibility Information**

☐ Is information about accessible services and facilities readily available online?

☐ Do you provide clear and multiple channels for seeking assistance online?

☐ Do you indicate accessibility features on your websites and mobile applications?

◇ **Feedback and Complaint Resolution**

☐ Do you provide multiple channels for customers to submit complaints or feedback?

☐ Do you have clear and fair procedures for handling complaints?

☐ Is there designated staff responsible for managing complaints?

☐ Do you keep both complainants and respondents informed throughout the complaint handling process?

☐ Do you maintain records of all complaints received and the solutions adopted? Are there any key takeaways to prevent future complaints at a policy level?

◇ **Others**

☐ Are you keeping up with developments in assistive technologies that could enhance disability inclusion?

☐ Do you utilise assistive technologies in your services, facilities or premises?

Reference and Resources

Self-Assessment Checklist

Disclaimer

All the information contained in this Guide is for reference only, and it is no substitute for legal advice. If you have any enquiries or need further information, please contact the Equal Opportunities Commission.