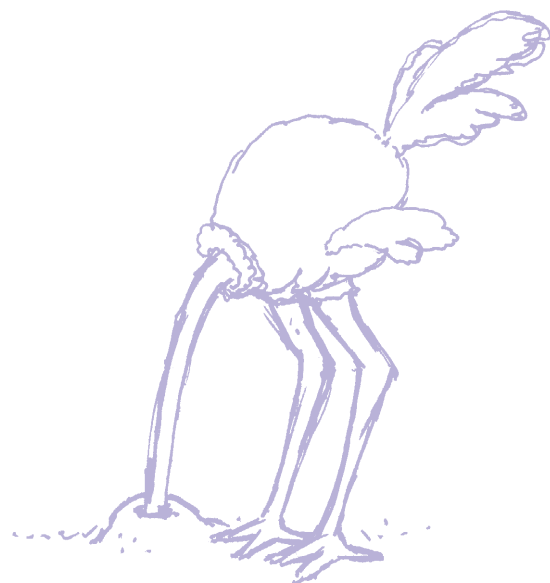


The DDA and your business online

are you doing enough?



At Radley Yeldar we've looked carefully at The Disability Discrimination Act (1995) ("DDA") and its relationship to online information. We think positions and guidelines are often stated as black and white when in fact they are not. The key point is: while companies should take reasonable steps to ensure disabled access, no authority exists to provide a stamp of approval. Some organisations, such as the RNIB, seek to play this role. Their approach and attitudes are proprietary and do not guarantee compliance with *all* relevant standards. DDA compliance is a moving target that implies incorporating new criteria into corporate web design. Today it may represent a new cost; but it cannot be a one-off "pain purchase". Determining what you should do now, and at what cost, depends on how well your current online assets comply and what reasonable steps, if any, are needed to improve them.

Overview

1. English law will soon oblige companies to ensure their online information (intranet, extranet, website) is accessible to disabled users of all kinds.
2. Guidelines for online standards of disabled accessibility in Europe are given by the World Wide Web Consortium* ("W3C"), the international body which promotes and safeguards the development of web technologies as a universal resource.
3. The current W3C Guidelines specify three levels of conformance: "A", "Double-A" and "Triple-A". These levels are defined by guideline checkpoints at three levels of priority.
4. Level "A" conformance is a basic housekeeping standard with which we advise any company to be in conformance by 1 October 2004. For most companies "Double-A" will represent a desirable standard of conformance and should be actively developed and implemented fairly quickly. The demands of "Triple-A" conformance are extensive and we expect few organisations will implement them fully in the near term.
5. The legal position in the UK is likely soon to be reinforced in Europe and there is already law in place in the United States requiring reasonable conformance.
6. At first sight the standards may appear to exclude much innovative web design and impose narrow limits on content and presentation parameters. Properly implemented, however, they will encourage logic and simplicity in online information. This will benefit everyone.
7. The cost of bringing existing online assets into conformance is therefore an investment as well as a morally desirable (and legally required) commitment.
8. Pdf files and other proprietary technologies may be problematic. As many companies now use pdf files to distribute annual reports and other literature, we address this question on page O6.
9. Disabled accessibility concerns many people, including blind and partially sighted, the deaf, people with cognitive disabilities and people who cannot use a mouse or keyboard. Assistive technologies help many people to access the internet; standards help ensure these technologies work as well as possible.
10. It is worth bearing in mind that disabled people may constitute as much as 10% of the UK population, with an estimated annual spending power of £40 billion to £50 billion. They are your employees, your customers and your shareholders so it makes sense to look after their interests.

*W3C Guidelines are an interpretation of a law that is "grey". Do not confuse the Guidelines for the law. The detail of the law is likely to be tested through the courts rather than the statute book. At the time of publication there had already been three out of court settlements brought over non-accessible intranet sites.

Who is affected?

All organisations, including companies, that provide information services to the public. Online assets constitute information services by implication.

What sort of online material?

Naturally websites are included, but also intranets and extranets. Accessibility obligations cover employees and business partners as well as clients, customers, shareholders and the general public.

The law

The DDA affects everyone in the United Kingdom who provides services to the public, whether in the private, public or voluntary sector. While the Act does not define a "service provider" it does make reference to "access to and use of information services" (Part III, Section 19, subsection 3c).

The DDA makes no mention of digital services. However the DDA Code of Practice on Rights of Access to Goods, Facilities, Services and Premises states (paragraph 2.17 – example): "An airline company provides a flight reservation and booking service to the public on its website. This is a provision of a service and is subject to the Act." The Code of Practice is a guide to implementing Part III of the DDA, which comes into force from 1 October 2004.

Disabled users

Bear in mind that disability covers many conditions; ensuring information is accessible to disabled users may require a range of modifications. Here are a few examples of disabled users and the ways they access information:

- Someone who cannot hear well – information presented via sound should also be available in a visual form
- Someone who cannot see well – information that is visual will need also to be readable by a screen reader (software that converts text to speech) or a Braille reader
- Someone who cannot move quickly or easily – information should require little movement to access and not be time-limited (as with, say, a scrolling menu of options)
- Someone who does not read well – information should be able to be read by a screen reader.

The standards

W3C Web Content Accessibility Guidelines can be consulted online at <http://www.w3.org/TR/WAI-WEBCONTENT/>

The Guidelines explain how to make web content accessible to disabled people but their effect is seen as improving access to web content for all, regardless of how they access it (e.g. by desktop browser, voice browser, mobile phone, automobile based computer, etc.) and of environmental constraints (e.g. noisy surroundings, over- or under-lit rooms, hands free environment, etc.).

There are fourteen Guidelines of which the first eleven address the ability of online material to "transform gracefully" – to adapt well to being accessed via an adaptive technology such as a screen reader. Guidelines twelve to fourteen concern making content understandable and navigable.

Each Guideline has a list of checkpoint definitions, at three levels of priority. Priority 1 checkpoints define the requirements of level "A", the basic housekeeping standard. Priority 2 checkpoints define the requirements of level "Double-A". For "Triple-A" conformance, web content must satisfy all checkpoints including Priority 3.

Changes to W3C Guidelines

The W3C published the Web Content Accessibility Guidelines ("WCAG") 1.0 in May 1999. Currently WCAG 2.0 is in preparation and the latest draft appeared on 30 July 2004 (see <http://www.w3.org/TR/2004/WD-WCAG20-20040730>). This clearly states that "this working draft in no way supersedes WCAG 1.0" and "it is inappropriate to cite this document as other than work in progress". This document therefore relies on the W3C recommendation currently in force, but it is worth noting that, as with everything in the online world, change will come. The Working Group on Web Content Accessibility will provide clear guidance on how to migrate from WCAG 1.0 to WCAG 2.0 when 2.0 becomes the Recommendation, and is doing its best to make sure that the change represents an evolution, rather than a quantum leap. We monitor this kind of issue to ensure our clients get the most reliable advice.

Conformance levels

In the following sections we describe and illustrate what conformance at each level entails. Complete descriptions would be beyond the scope of this document and for those we refer readers to the W3C Guidelines.

Conformance level "A"

This is the "housekeeping" or "hygiene" level of accessibility – a basic requirement with which we would advise all companies to have conformed to in advance of 1 October 2004.

Example W3C Guideline 1 says that websites should "provide equivalent alternatives to auditory and visual content". An example of this might be an image of a right-pointing arrow used as a link to the next slide in a slide show. The "equivalent alternative" to this image, making it functional for someone accessing the page with a screen reader, would be a text equivalent reading "next slide", identified as a link by adding the word link or changing the synthesiser's voice. A further example would be a graph. Imagine a bar chart showing sales for several months. This would need accompanying text comprising a short label and a longer description. The label would say "bar chart – sales by month from April to October" while the description text would provide a high-level summary of the information available from the chart, providing the data in table or another accessible format.

Conformance level "Double-A"

If level "A" represents "must do" conformance, "Double-A" is "should do". We would recommend any company to be planning to bring their online assets to this standard within a few months of the 1 October 2004 trigger date.

Example Guideline 3 says that websites should "use mark-up (i.e. html or other online code, rather than embedding graphic files for text) and style sheets and do so properly". All seven checkpoints under this Guideline are Priority 2 (i.e. defines "Double-A" conformance). The first of these, checkpoint 3.1 states "when appropriate mark-up language exists, use mark-up rather than images to convey information" (use code rather than images where appropriate). The checkpoint goes on to say the use of images to represent text should be avoided. The reason is that, as with the arrow icon example in level "A", such images convey no intelligible data to a screen reader or other assistive technology. However, some graphics are there to visually enhance the site as opposed to being informational in nature. Graphics such as these may have an "empty Alt tag" (as they have no "information" to describe). In many HTML validators (which are often used as a guide to how accessible a site is) empty Alt tags would cause the site to fail the check. It's easy to see how "grey" the Guidelines can be.

Conformance level "Triple-A"

This level defines best practice and for most commercial organisations will be seen as "might do" rather than "must" or "should". However we would expect that as DDA conformance becomes a routine expectation and as technology evolves, standards will rise generally. In five or ten years from now today's "gold standard" may look little more than average.

Example Guideline 4 says that websites should "clarify natural language usage". Checkpoint 2 for this guideline, which is Priority 3 (i.e. defines "Triple-A" conformance) says: "Specify the expansion of each abbreviation or acronym in a document where it first occurs". Clearly this kind of stipulation is not unlike the common practice of quality newspapers, where unfamiliar sets of initials are normally explained within article copy on their first appearance. This may seem a rather obvious and unambitious requirement to be included as Priority 3 but it is only one part, and one that is easy to describe in ordinary language, of a far larger and more complex picture.

It is important to note that attaining any of the levels above does not necessarily mean your particular site is "usable" by all disabled audiences. Therefore, asking your agency to give me "Double-A" does not mean a particular disability will be accommodated.

The fourteen Guidelines

For convenience the fourteen Guideline statements are shown here in a table, along with the number and priority of their checkpoints. Clearly, this is only a quick reference guide, all the detail can be found by reading the Guidelines in full at the W3C website.

Guideline	Number of checkpoints	"A" (Priority 1)	"Double-A" (Priority 2)	"Triple-A" (Priority 3)
1. Provide equivalent alternatives to auditory and visual content	5	4		1
2. Don't rely on colour alone	2	1	1 (images)	1 (text)
3. Use mark-up and style sheets and do so properly	7		7	
4. Clarify natural language usage	3	1		2
5. Create tables that transform gracefully	6	2	2	2
6. Ensure that pages featuring new technologies transform gracefully	5	3	2	
7. Ensure user control of time-sensitive content changes	5	1	4	
8. Ensure direct accessibility of embedded user interfaces	1	1	1 (variable priority)	
9. Design for device-independence	5	1	2	2
10. Use interim solutions	5		2	3
11. Use W3C technologies and guidelines	4	1	2	1
12. Provide context and orientation information	4	1	3	
13. Provide clear navigation mechanisms	10		4	6
14. Ensure that documents are clear and simple	3	1		2

Issues and benefits

Downloads and proprietary software

A particular issue affected by disabled accessibility is the use of pdf files and other proprietary formats commonly used for downloading distribution. The W3C states: "Many non-W3C formats (e.g. pdf, shockwave, etc.) require viewing with either plug-ins or stand-alone applications. Often these formats cannot be viewed or navigated with standard user agents (including assistive technologies). Avoiding non-W3C and non-standard features (proprietary elements, attributes, properties and extensions) will tend to make pages more accessible to more people using a wider variety of hardware and software. When inaccessible technologies (proprietary or not) must be used, equivalent accessible pages must be provided."

In a further note it adds: "Converting documents (from pdf etc.) to W3C mark-up languages does not always create an accessible document. Therefore, validate each page for accessibility and usability after the conversion process...If a page does not readily convert, either revise the page until its original representation converts appropriately, or provide an HTML or plain text version."

Cost implications

Clearly any new level or system of regulation implies start-up costs and no one welcomes this aspect of the changes taking place. However conformance is a process that can be staged over several phases, thus spreading the cost burden and possibly sharing it over two budget years instead of one. The point to bear in mind is that no one is exempt from these legal obligations (except certain educational institutions which are recognised as lacking resources with which to meet them) so your investment in online disabled accessibility will not put you at a disadvantage relative to your competitors. In effect this is a slightly (and unavoidably) bumpy "raising of the game" in corporate netiquette; not very comfortable today but soon taken for granted. It could be compared to Y2K, except that unlike Y2K it is a real requirement and failure to comply may lead to embarrassment.

Benefits of conformance

The rather stringent design and navigability parameters set by W3C do mean that making your online assets accessible for disabled users will have the effect of improving their user-friendliness for everyone. The demand for logical presentation should help to streamline content and the need for frequent updating of dynamic content should mean few dusty online corners where out-of-date and misleading information can lurk.

Google is blind

One of the web's most influential surfers, Google, is blind: it cannot "see" any content other than text. Making sure your site contains text equivalents for non-text elements will have another benefit, potentially, in improving your PageRank score, the basis of your search engine ranking. This illustrates clearly how DDA conformance actually entails adopting consistent good online design practice and will benefit all users as well as the disabled. Be readable and be visible!

For more information you can request a copy of our publication "Getting a higher ranking on Google".

DDA and you

Although potentially a complex topic, DDA takes its origin from a small set of principles and does not automatically involve huge changes to existing online assets. It's important to know that none of the standards is available as a "package" or a "seal of approval"; rather, you need to assess the appropriate compliance level for your company and take reasonable steps to comply over time. In our view there will be real benefits to all web users from investment in clearer, more logical information and design; companies may well experience improved search engine rankings, as well as creating a better impression with more user-friendly sites. We feel there has been a lot of scaremongering about DDA, motivated rather like Y2K with a sharp eye to short-term solutions (and profits). Rather than join that chorus we hope this document helps you consider DDA with more confidence and realism. Naturally we are happy to answer your questions about it, so please contact us on 020 7033 0700 to learn more.

Useful information

The law

For chapter and verse on the DDA and to download a copy of the Code of Practice, see <http://www.disability.gov.uk/dda/#consultation>

For advice circulated to government departments see http://e-government.cabinetoffice.gov.uk/Resources/WebHandbookIndex1Article/fs/en?CONTENT_ID=4000092&chk=XHiT3L

The handbook can also be downloaded in full as a pdf or an MS Word document at http://e-government.cabinetoffice.gov.uk/Resources/WebGuidelinesArticle/fs/en?CONTENT_ID=4007474&chk=r/H73K

Disability Rights Commission Read the formal investigation into website accessibility <http://www.drc.gov.uk/publicationsandreports/report.asp>

Guidelines

W3C Guidelines are supported by many other online resources including introductory and non-technical papers as well as detailed technical advice on specific aspects of design and management. The best starting place is the current Guidelines, at <http://www.w3.org/TR/WAI-WEBCONTENT/>

For the latest draft of the version 2.0 Guidelines see <http://www.w3.org/TR/WCAG20/>

W3C Guidelines are applicable in Europe. In the US Guidelines have been established under section 508 of the Rehabilitation Act. Companies with offices in the USA and UK should aim to conform to both. For information about these see <http://www.access-board.gov/508.htm>

The RNIB offer "See it Right" (<http://www.RNIB.org.uk>) website consultancy. "See it Right" is also a set of standards that your site can be measured by and accredited with.

General consensus is that the "See it Right" standards fall somewhere between "A" and "Double-A" of the W3C Guidelines.

Check for yourself

There are many checks you can carry out for yourself. The links below, whilst useful, may require some assistance for the less technical.

Vischeck Enter in your site address and after choosing one of three types of colour blindness, Vischeck will show what your site looks like to people with that disability <http://www.vischeck.com/vischeck/vischeckURL.php>

JAWS The leading screen reader. Download a trial version (please note this link automatically downloads a 33mb file) <ftp://ftp.freedomscientific.com/users/hj/private/WebFiles/JAWS/j500621.exe>

Bobby A company who sell products that offer validation services <http://bobby.watchfire.com/bobby/html/en/index.jsp>

HTML validator Checks your HTML <http://validator.w3.org/>

Stylesheet validator Useful if your website uses Cascading Style Sheets <http://jigsaw.w3.org/css-validator/>

Radley Yeldar helps its clients communicate through brand identity, corporate reporting, digital media and marketing communications.

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