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DISABILITY:IN

MEET THE CORPORATE PARTNER WEBINAR – PROCURE ACCESS BUILDING BLOCKS FIRESIDE CHAT SERIES: DEFINE REQUIREMENTS FOR NEW AND RENEWED PURCHASES & LICENSES

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>> CELESTE KEANAAINA: Hello, and welcome, everyone, to the Disability:IN Procure Access Building Blocks Series, define requirements for new and renewed purchases and licenses. My name is Celeste Keanaaina with Disability:IN. Monica Ackerman is head of accessibility at ScotiaBank. And also joining us today for the fireside chat is Gautam Rao head of accessibility at Ernst & Young. Before I turn it over to Monica or anyone who cannot see the screen, I'll be running a slide regarding housekeeping items. You're in viewing only mode meaning you will watch the video. You cannot share audio or video. We will do our best to address all questions throughout or at the end of the webinar. ASL and live captioning are both being provided during today's webinar. To start viewing the captioning select the CC or closed caption icon in the meeting controls. We will also post a Streamtext link in the chat and the ASL interpreter will be spotlighted, as well, so feel free to pin the interpreter. If you need assistance during the webinar, feel free to reach me through the Q&A or e‑mail. Now I'll hand it over to you, Monica.

>> MONICA ACKERMAN: Hello, welcome.

>> OPERATOR: Recording in progress.

>> MONICA ACKERMAN: Hi. Welcome to procure access, launched in July of 2022 procure access is a business‑to‑business initiative facilitated by Disability:IN and a new component of the Disability:IN accessibility program. It brings together companies that recognize the importance of buying and selling technology that is accessible to people with disabilities.  
 Accessible procurement is multi‑faceted and identifies the work and people of business units in an organization. The procure access building blocks simplify things. Think of the blocks as a quick start guide for your accessible procurement journey and the foundation of a successful program. There are eight building blocks in the series and to date various hosts and guests have covered most of them. Developing accessible procurement policies, updating procurement documents whether it's master service agreements, contracts, to include accessible requirements. Taking inventory and figuring out where the focus of your procurement program will be. And as always, asking about questions before you buy and investigate accessibility products.  
 There's testing the products is another building block and tips for ensuring organizational accountability. Today's building block is titled define requirements for new and renewed purchases and licenses. I'd like to thank Disability:IN for asking me to be a guest host to provide this overview.  
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 So today's building block focuses on defining requirements for software that is purchased or licensed, whether it's a first time purchase or renewal, accessibility requirements must be clearly articulated so that not only the supplier knows what the company is asking for, but also that your internal business partners then and sourcing groups understand what is being asked. Otherwise it would be pretty easy for someone to strike that a clause or requirement.  
 So in defining the requirements be sure to include standards, what are the standards that your company has adopted? Is it WCAG, is it EN 301549. And in my own personal experience vendors seem to be more readily able to respond if it's a recognized standard that they encounter when working with other companies.   
 Also include any legal requirements that your company must meet and depending on the laws in your country, province or state those laws might specify which standard you should include in your requirements.  
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 There are a few key steps. We have a couple of parts to this key steps and here are some of the things to consider when drafting your requirements so you can get a better sense of where vendors are in their accessibility journey. If you're asking for the web content accessibility guidelines, what version and what level are you specifying in the requirements. In Ontario, Canada, which is where I work and live the regulations specify WCAG 2.0 AA with a couple of exceptions so that may be different in your jurisdiction. Ask vendors to share any external audit reports or VPATs or documentation on the state of the accessibility of the product you're looking to procure.  
 Next slide. Continuing on, determine if you're going to be asking for or looking for test results that include automated testing, manual or a combination of both, keeping in mind that automated testing only captures 30 to 40% of failures. What actually is in scope for your procurement requirements? For example, is it customer‑facing only? Is it employee or associate‑facing? Do you have criteria around risk or user volume that caused you to include accessibility requirements within your clauses?  
 And then draft language that can be added to any new contracts or renewals. You may want to consider various language variations. For example, whether it be language that is requesting testing prior to the signature of the contract, or after signature of the contract.   
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 This is a very text‑heavy slide. You will have access to the full document later with a download but I won't be reading everything. So I'm just going to capture it a little bit in a synthesis. So this slide shows questions that were asked and requirements that one of the Disability:IN corporate partners actually include in their contract RFP requirements process.  
 So, again, I'd encourage to you take a look because there's some really great language in here. So they start with asking the potential supplier for an up‑to‑date Accessibility Conformance Report. In this case does it meet WCAG AA? They don't specify what exactly the conformance report should look like but they do specify it should align with industry standards, for example a Voluntary Product Ally Test or VPAT. They then request the companies submit their most recent accessibility testing procedures and results. And validate any company's self‑assessment or ask if they can validate a company's self‑assessment so that they can retest and see whether those results align with your own internal group's testing.  
 Then if accessibility barriers are identified, they ask for timely remediation plans within a very specific time period and call out the expectation that these be done at no additional cost to the company.  
 If a remediation is deemed not possible, then the longer term roadmap for when items be will resolved is requested and if those items be rated as high, medium or low. High meaning that a user is blocked from access. And ideally that roadmap should address those high priority items first. Finally a clause I find very interesting is an indemnification clause that says that would hold harmless for the vendor's failure to comply so that your company is protected from any repercussions from inaccessible technology.  
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 So, so far this is primarily been about clauses and requirements for new purchases. But you should also consider what do you need to do when you're renewing existing contracts? Often companies enter into longer term contracts with their vendors and during that time much can change. There might be a redesign or a new feature set included in the renewal or the software or where the software is being used might change. What I see often is it's initially procured for a small group of people but then it might be scaled across the enterprise and more people would be using it, thereby increasing the risk for having an inaccessible piece of software. Or it might be originally procured for employees only but now becomes a shared system that customers will also use or perhaps in that time period a new law has come into effect where accessibility requirements must be met.  
 These are just some of the factors that might weigh into a contract renewal and a revisiting of the terms and conditions in those contracts renewal negotiations.  
 There are a couple of suggestions for what to do. Give the vendor warning, at least six months so you can start having those conversations. When the work is being renewed make sure you're checking with legal and procurement departments to check if additional ones need to be added. If the vendor can't meet the accessibility requirement, maybe it's time to explore other vendors of the same product or service and contract with more accessible vendors if possible.  
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 Questions to ask to identify metrics. Again, a list of about 12 questions on this slide and I'll highlight just a few. Because now that you've defined the requirements, you have the data from the vendor, how do you actually evaluate. When I see a VPAT with everyone says everyone is yes and comply with everything, I get immediately suspicious. I much prefer people highlight what they do know where there might be exceptions where there's a roadmap because that shows to me a sign of a more mature accessibility access. Ask good questions.  
 Here is an example of a question: Do you test with users who have disabilities? How are you going to ensure on going accessibility and WCAG compliance and track updates of the products and services after they have launched? If your product is not accessible, how will you provide an equally effective alternative access so that everyone can use your product until it's updated? How do you respond to accessibility issues when they arise and what is the process to report and resolve these problems?  
 So we have covered the rational for defining requirements, key steps, new contracts, RFPs and renewals. And just conclude with questions to help frame the evaluation metrics. While this high‑level review doesn't include all of the details, it would give you a sense of how to approach accessibility from the defined requirements building block.  
 And that covers the presentation. So in conclusion, it's really important before you buy you implement a variety of activities all done to increase accessibility as an outcome. I'd like to leave you with four key areas to include in your work: Define requirements, investigate accessibility, understand your voluntary product accessibility templates, evaluate bids, and please take a look at the procure access guidance and the disability and accessible procurement toolkit. They are on the website and are great resources to help you establish your program.   
 Thank you.

>> OPERATOR: Recording stopped.