Audit and Risk Committee – for assurance

Meeting agenda title: Accessibility compliance report

Meeting date: 20 June 2022

Time required: 5 minutes

Presenter: Hannah Smith

Approved by: Angela Balakrishnan

1. Objective and recommendation

1.1. To provide the ARC with assurance regarding the ICO's approach to our obligations under the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018.

1.2. To enable the Chair of the ARC to sign off assurance for the annual report to confirm that we complying with our obligations.

1.3. The recommendation is to take assurance from the attached report, noting the actions taken to meet our obligations.

Author: Hannah Smith (Senior Communications Officer Digital)

Consultees: Greer Schick (Digital Architect), Panayiotis Zaimis (Principal Policy Advisor)

List of Annexes: Annex one - Response from Central Digital and Data Office

Publication decision: Can be published internally and externally

Outcome reached:

Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018

1.0   Introduction

1.1   As part of the ICO's reporting responsibilities the Chair of the Audit Committee will be asked to give assurance to DCMS that we are meeting our obligations under the Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018. This report gives assurance to the Committee on this matter.

2.0   Applicable websites and mobile applications

2.1   The ICO's obligations in relation to external websites and mobile apps apply only to the ico.org.uk domain, which is the website of the Information Commissioner's Office. As well as the main website, it also includes:

- the public register of fee payers;
- data protection fee payments; and
- internal search pages.

2.2   While the Regulations apply to mobile applications, we do not provide any such apps.

2.3   The regulation also applies to our internal intranet site but not internal apps.

3.0   Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations 2018.

3.1   The accessibility regulations came into force for public sector bodies on 23 September 2018. Established websites needed to conform with the standards by 23 September 2020. The regulations say public sector bodies must make their website or mobile app more accessible by making them 'perceivable, operable, understandable and robust'.

To meet the legal requirements we must:

- meet the international WCAG 2.1 AA accessibility standards - although there may be valid legal reasons for not meeting them; and

- publish an accessibility statement that explains how accessible a website/application is.

4.0   Action taken – external website

4.1   We published an accessibility statement on 23 September 2020. It was reviewed most recently on 11 April 2022 and is reviewed each quarter. This [statement can be found on the ICO website](#).

4.2   The accessibility statement contains all the required information including areas of the site that are not compliant with the regulation, the impact these may have on users and when we commit to fixing the issues.

4.3   We worked with our contracted website developers to undertake an accessibility audit of the website ahead of the 23 September 2020 deadline and actions were taken to fix any issues that were identified.

4.5   We use an automated auditing platform called Siteimprove to run weekly reports about our complaince. These report flag issues that regularly reoccur due to human error eg alternative text not included on images, these issues are fixed weekly.

4.6   Siteimprove provides an accessiblity score out of 100. This is assessed against the WCAG 2.1 criteria. The industry benchmark is 83.0. The ICO is scoring 92.1.

4.7   In June 2021, we were audited by the Central Digital & Data Office, (CDDO) who control the Regulation on behalf of the Cabinet Office. They assessed a cross section of the website content and identified only two issues. These are now resolved.

- One issue related to WAI-ARIA tagging in the mobile responsive version of the website – we were not aware of this ahead of the audit.
- The other issue related to a number of PDFs not being accessible – we were aware of this ahead of the audit and were working through a backlog. We are now confident all PDFs covered by the Regulation are fully accessible and monitor all newly uploaded PDFs.

4.8 We have reported back to the CDDO and received a response stating no further action was to be taken at this time (see annex one).

4.9 An accessibility audit of the website, including both automated and manual methods, was undertaken by an external agency in November 2021 and issues relating to the main website content are scheduled for completion by July 2022.

4.10 There were 27 issues identified across the whole site. Nine low priority, seven medium, ten high and one critical. Overall, we were reassured by the results of this audit as the main content of the website flagged no high or critical issues.

4.11 One high priority issue related to video content, which we were aware of and aim to resolve by July 2022.

One other high priority issue related to the internal search function, which we were unaware of and aim to resolve by the end of July 2022.

Three high priority issues related to the data protection fee pages, which we were aware of and will resolve by July 2022.

The other high issues and the critical issue relate to Power BI. We were aware that content embedded on the site from MS Power BI was not fully compliant with the regulation. This content is embedded in the website from the Microsoft PowerBi app so how the content is formatted and how it behaves is largely out of our control. Only one high issue has been resolved since the audit. We are awaiting accessibility updates from Microsoft, due for release in the Summer, which we hope will improve the contents compliance with the regulation – including changes that will address the critical issues. However, depending on the outcome of this release, a decision may have to be made internally about the use of the app. Power BI is currently used to publish the data security incident data on the website.

4.10 Accessibility is a key component of the upcoming website user research project. Further manual and automated auditing will be completed by mid June 2022. Interviews and scenario testing will

take place with users with accessibility requirements by the end July 2022.

4.11 The accessibility project team meets quarterly to review compliance and best practice.

4.12 Another site wide audit will take place in Summer 2022 by an external agency.

4.13 In conclusion, the ICO's website is nearly fully compliant with the regulation and we can evidence that we are working towards full compliance. By reviewing the website weekly for errors, prioritising accessiblity in our user research program and through our regular meetings, we are building a culture of accessiblity by default.

5.0 Action taken – internal intranet

5.1 We launched our new beta intranet on 31 March 2022. Throughout the development we focussed on making sure the site adheres to the WCAG 2.1 Level AA standards.

5.2 Accessibility testing was undertaken in collboration with a third-party supplier during development.

5.3 A number of issues raised during testing, which have now been resolved. These include:

- Missing alternative text on images.
- Missing descriptive links and buttons.
- Issues with contrast and spacing on some interactive elements.

5.4 A number of issues raised during testing cannot be resolved with the existing technology. We will be exploring solutions to this issue in Q2 2022/23

- Larger font sizes for menus and the footer.
- Additional spacing at the bottom of the top navigation drop down list, so that zoom tools have more scrolling space.
- Limiting the available white spaces.

- Updating content bars to have higher contrast and hover colours.

5.5 An accessibility statement is due to be completed for the intranet by 30 June 2022.

5.6 We intend to run automated audits of the accessibility compliance of the intranet using Siteimprove. This will take place after the completion of a DPIA screening assessment and when more content has been migrated to the new intranet. This is expected to happen during Q2 2022/23.

Annex one: Response from Central Digital and Data Office

👑 **Government Digital Service**

Nesha Russo (GDS Support Services)

22 Oct 2021, 14:13 BST

Central Digital & Data Office | Cabinet Office

Hi Greer,

Thank you for providing an update.

I have reviewed some pages of your website and the accessibility statement.

What happens next

Accessibility Compliance

As part of our reporting process we provide the Equality and Human Rights Commission (EHRC) with details about public sector bodies that are tested.

Based on the information you have provided we will be recommending to the EHRC that no further action is taken.

The EHRC has the right to overturn this recommendation. They will contact you if they need to take further action.

Accessibility Statement

On behalf of the Minister for the Cabinet Office, we make a decision on the compliance of accessibility statements.

We have determined that your statement is compliant.

Public sector bodies may request a review where they disagree with this decision. Any request for a review must be made in writing (via email) within 28 days of the decision and state the reason for the review.

If there is no request for review or the decision of non-compliance is upheld, the public sector body will be notified and the Minister for the Cabinet Office will publish the name of the non-compliant public sector body.

Future monitoring

Our monitoring is based on a sampling process. It is possible that your website may be put forward for further testing in the future. It is important that accessibility standards are maintained.

Many thanks,