



**Public Procurement of Accessible Information and Communications Technology (ICT)**

**The Community Position**

# April 2013

# What is Public Procurement?

Public procurement is the process that governments use to purchase products and services. An Information and Communications Technology (ICT) public procurement policy provides the guidelines that governments use when purchasing computer hardware, software, telephones and electronic services. A procurement policy for accessible ICT requires government to ensure that its purchases of information and communications equipment and services are accessible and usable by the widest number of people, including people with disability.

The Australian Federal Government does not have a comprehensive procurement policy for accessible ICT. The roll-on effects of this policy gap have significant implications for the whole Australian community. The negative ramifications of this ongoing policy gap continue to disadvantage and exclude some of our most vulnerable citizens with disability.

The alliance of organisations listed above represents Australians with disability. Our unified position is that the Australian Government immediately adopt a whole-of-government procurement policy for accessible ICT. A public procurement policy for accessible ICT will help to ensure that:

* All public service workplaces procure accessible ICT providing significant benefits for current and future employees with disability;
* All public sector electronic information is accessible to people with disability;
* All public sector services delivered electronically are accessible for people with disability;
* That greater choice of accessible products and services will be available in the Australian ICT marketplace; and
* Australia will be protected from becoming a dumping-ground for the inaccessible products which are unsellable in those overseas markets where public procurement policies for accessible ICT are in place.

# Current Australian Inclusion Policies

Australia’s 2008 ratification of the United Nations Convention on the Rights of Persons with Disabilities obliges the Government to progressively dismantle societal barriers that disable many Australian citizens. The convention specifically articulates the need for signatory nations to dismantle barriers to E-access and E-inclusion through Article3 *General Principles*; Article 9 *Accessibility*; Article 21 *Freedom of Expression and Opinion, and Access to Information*; Article 27 *Work and Employment* and Article 29 *Participation in Political and Public Life*.[[1]](#endnote-1) In 2011, the Coalition of Australian Governments (COAG) adopted a 10 year National Disability Strategy (NDS) setting out a national policy framework for improving life for Australians with disability. With its 2009 adoption of the whole-of-government Social Inclusion policy the Federal Government proposed a society in which all Australians will have the resources, opportunities and capability to:

* Learn by participating in education and training;
* Work by participating in employment, in voluntary work and in family and caring;

We assert that the ongoing lack of a comprehensive Federal Government procurement policy for accessible ICT undermines Australia’s commitment to full inclusion and its obligations under the United Nations *Convention on the Rights of Persons with Disabilities, the* National Disability Strategy[[2]](#endnote-2) and its commitment to its whole-of-government Social Inclusion Agenda[[3]](#endnote-3). A procurement policy for accessible ICT should be the cornerstone of the Government’s National Digital Economy Strategy,[[4]](#footnote-1) ensuring all Australians can benefit from our broadband future.

There are a range of ad-hoc government policies, both at Federal and State/Territory levels, which address differing aspects of E-access and E-inclusion. However, there is no overarching Government policy that addresses E-access and E-inclusion in the public procurement of accessible ICT equipment and services.

The Australian Government Information Management Office’s (AGIMO) National Transition Strategy (NTS)obliges all government websites to be Web Content Accessibility Guidelines version 2.0 (WCAG 2.0) compliant to level “AA” by end of year 2014[[5]](#endnote-4). The *Commonwealth Disability Discrimination Act* (1992) mandates all public sector agencies and government departments to make information and services accessible for people living with disability[[6]](#endnote-5).

These public policies provide tangible improvements in access to public information and services. However the adoption of a robust whole-of-government procurement policy for accessible and usable ICT equipment and services would greatly advance the economic, social and cultural participation of Australian citizens living with disability. It would help ameliorate barriers to employment, information, and services, and foster a wider marketplace of accessible ICT equipment and services for Australians living with disability.

# International Procurement Policies

Internationally, governments are increasingly adopting policies and initiatives to ensure public procurement of ICT addresses E-access and E-inclusion. For example, the United States Government has adopted Section 508 of the Rehabilitation Act (1973)[[7]](#endnote-6) which requires all US Federal Departments and Agencies to ensure that “*development, procurement, maintenance, or use of information and communications technology be accessible for Federal employees with disability, and that all Federal Government public information and services are accessible for people with “disability.* In 2010, the U.S Congress passed the *Twenty-first Century Telecommunications and Video Accessibility Act* (2010).[[8]](#endnote-7) This Act will ensure that new Internet-enabled telephone and television products and services are accessible to and usable by people with disability. In the European Union, the European Commission has initiated Mandate 376[[9]](#endnote-8) in order to harmonise ICT for government procurement purposes. Additionally, Denmark, Ireland and Canada have implemented E-accessibility Toolkits in order to provide guidance in the public procurement of accessible ICT. Japan has a public procurement policy mandating that products and services supplied to the government are required to have considered ICT accessibility based on a series of existing standards.

In addition to the arguments of anti-discrimination and access-for-all in the Australian context, there is strong international evidence that governments need to be addressing universal design principles in the area of ICT procurement in order to promote innovation and manage their ICT procurement budgets.**[[10]](#endnote-9).** The AGIMO’s draft *Strategic Vision for the Australian Government’s Use of ICT***[[11]](#endnote-10)**notes that budget constraints for ICT procurement will continue to impact public policy in the converging ICT landscape of the twenty-first century. Addressing universal design and access-for-all principles in the design and implementation phase of government ICT procurement will help limit the extraordinary costs of retro-fitting inaccessible legacy ICT services and equipment.

As other countries protect their ICT economies from inaccessible products and services, Australia may be at risk of becoming the dumping-ground for inaccessible ICT equipment. The power of the Commonwealth economy in procurement of accessible ICT has the potential to safeguard the wider Australian ICT marketplace, while at the same time encourage and foster innovation and availability of more accessible ICT products and services.

In the 2011 research report ‘Tapping the Potential of Accessible ICT Procurement’[[12]](#endnote-11), comparison of procurement policies across OECD countries provides a strong argument for the mandatory adoption of an Australian public procurement policy for accessible ICT.

# Conclusion

Australia has a history of being a nation of early adopters of technology. This enthusiasm for ICT reaches across all aspects of Australian society - economic, social and cultural. Without the market influence of a public procurement policy for accessible ICT, our enthusiasm for technology increases the risk of a widening digital divide for many Australians with disability. Without a whole-of-government commitment to an E-access and E-inclusion procurement policy for accessible ICT, Australians with disability will continue to face ongoing barriers to employment, information access and online services in both the public and private sector.

Given Australia’s rapid uptake and adoption of information and communications technologies, it is increasingly important that public policy is in place to bridge the digital divide between Australia’s disabled and non-disabled citizens. As the way in which we engage - with each other, service providers and government agencies - changes from face- to-face engagement to a digital connection, it is important that people with disability do not become further disengaged and disenfranchised through barriers created by inaccessible ICT products and services.

Australians with disability are critically underrepresented in the public service. Over 19 percent of Australians identify as having a disability,[[13]](#endnote-12) while in 2010 only 3 percent of the Australian Public Sector workforce[[14]](#endnote-13) was made up of people with disability. The percentage of people with disability employed in the public service has been in decline for more than a decade.[[15]](#endnote-14). The adoption of a whole-of-government public procurement policy for accessible ICT will turn around this decreasing employment rate by providing greater employment opportunities for people with disability in the public sector.

The convergence of technology, coupled with the increasing digitalisation of our society, has the potential to provide increased benefits and opportunities in education, employment and access to information and services for Australians with disability. Accessible and usable ICT can help to transform the way people with disability participate economically, socially and culturally in all aspects of Australian life in the twenty-first century.

Through adoption and implementation of an E-access and E-inclusion procurement policy, the Australian Government could promote best practice for the entire Australian ICT landscape.

We urge policy-makers to promote full and equitable participation in all Australian public services for our citizens with disability.

This position statement has been endorsed by:

* Australian Communications Consumer Action Network [www.accan.org.au](http://www.accan.org.au)
* Australian Federation of Disability Organisations [www.afdo.org.au](http://www.afdo.org.au)
* Blind Citizens Australia [www.bca.org.au](http://www.bca.org.au)
* Deaf Australia [www.deafau.org.au](http://www.deafau.org.au)
* Deafness Forum [www.deafnessforum.org.au](http://www.deafnessforum.org.au)
* National Ethnic Disability Alliance [www.neda.org.au](http://www.neda.org.au)
* People with Disability Australia [www.pwd.org.au](http://www.pwd.org.au)
* Vision Australia [www.visionaustralia.org](http://www.visionaustralia.org)

1. <http://www.un.org/disabilities/default.asp?navid=13&pid=150>   
    [↑](#endnote-ref-1)
2. Information on the Coalition of Australian Governments National Disability Strategy is available from <http://www.fahcsia.gov.au/sa/disability/progserv/govtint/Pages/nds.aspx>  
    [↑](#endnote-ref-2)
3. Information about Australian Government Social Inclusion Agenda is available from <http://www.socialinclusion.gov.au/SIAGENDA/Pages/Overview.aspx>   
    [↑](#endnote-ref-3)
4. http://www.nbn.gov.au/nbn-benefits/national-digital-economy-strategy/ [↑](#footnote-ref-1)
5. [www.finance.gov.au/publications/wcag-2.../wcag-**transition**-**strategy**.pdf](http://www.finance.gov.au/publications/wcag-2.../wcag-transition-strategy.pdf)   
    [↑](#endnote-ref-4)
6. <http://www.comlaw.gov.au/Series/C2004A04426> [↑](#endnote-ref-5)
7. United States Federal Communications Commission Access Board (FCC), 2008, *Section 508 of the Rehabilitation Act of 1974,* accessed 14 February 2011, available from: <http://www.section508.gov/> [↑](#endnote-ref-6)
8. <http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.3101>: [↑](#endnote-ref-7)
9. European Commission (EC) 2005, *Mandate 376,* accessed 24 February 2011, available from:

   [http://portal.etsi.org/public- interest/Documents/mandates/m376en.pdf](http://portal.etsi.org/public-%20interest/Documents/mandates/m376en.pdf) [↑](#endnote-ref-8)
10. <http://www.e-accessibilitytoolkit.org/toolkit/public_procurement/introduction_public_procurement> [↑](#endnote-ref-9)
11. <http://agimo.govspace.gov.au/2011/04/13/ict-strategic-vision/>   
     [↑](#endnote-ref-10)
12. http://ro.uow.edu.au/eispapers/60/  
     [↑](#endnote-ref-11)
13. Australian Bureau of Statistics, (2010), *Disability, Aging and Carers, Australia Summary of Findings 2009,* available from: <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4430.0Media%20Release12009?opendocument&tabname=Summary&prodno=4430.0&issue=2009&num=&view>  
     [↑](#endnote-ref-12)
14. Australian Public Service Commission (APS), 2010, *State of the Service Report,* available from: <http://www.apsc.gov.au/stateoftheservice/0910/ataglance.html> [↑](#endnote-ref-13)
15. For statistics on the percentage of people with disability employed in the public service 2002-2010 see the APS ‘s\State of the Service’ report http://www.apsc.gov.au/about-the-apsc/parliamentary/state-of-the-service/state-of-the-service-2010/chapter-7-diversity [↑](#endnote-ref-14)