

# Accessibility Statement – Commissioner’s website

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This statement applies to the Scottish Information Commissioner’s main website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info) (there is a [separate statement for the Commissioner's statistics portal](#)). This statement explains how accessible the website is, which content is not accessible and how we are working to improve it.

This website is run by the office of the Scottish Information Commissioner. We want as many people as possible to be able to use this website. For example, that means you should be able to:

- view content with easy to read fonts and suitable colour contrast
- navigate most of the website using just a keyboard
- listen to most of the website using a screen reader

We also strive to make the website text as simple as possible to understand.

[AbilityNet](#) has advice on making your device easier to use if you have a disability.

## How accessible this website is

While we have made improvements across the website, some parts of it are not fully accessible:

- the layout is not responsive for example to high zoom, larger spacing or mobile device screens, so some content is lost or becomes obscured
- PDFs and other documents are not accessible to screen reader users
- the website can be difficult to navigate using a keyboard as there is no visual focus indicator
- some older content including decisions can be difficult to navigate for screen reader users due to incorrect heading structures
- most videos do not have captions or audio description embedded
- our email newsletter and sign-up form – provided by a third party – do not meet a number of accessibility requirements

## Providing feedback or reporting accessibility problems

We are always looking to improve the accessibility both of our website and of the information we publish. Please [contact us](#) for any of the following:

- If you have difficulty accessing anything
- If you need information in a different format
- If you find any problems not listed on this page or think we’re not meeting accessibility requirements.

We will direct your enquiry to the relevant team who will be able to help you.

## Enforcement procedure

The Equality and Human Rights Commission (EHRC) is responsible for enforcing the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 (the “accessibility regulations”). If you’re not happy with how we respond to your complaint, [contact the Equality Advisory and Support Service \(EASS\)](#).

## Contacting us by phone or visiting us in person

British Sign Language (BSL) users can contact us via [ContactSCOTLAND-BSL](#). **Please note** this service is currently unavailable due to our temporary office closure, but we hope to have it reinstated as soon as possible.

**contactSCOTLAND-BSL**

If you are due to visit our offices and require any assistance, including arranging a BSL interpreter or guide communicator, please [contact us](#) in advance. **Please note** our office premises are temporarily closed.

## Technical information about this website’s accessibility

The office of the Scottish Information Commissioner is committed to making its website accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

### Compliance status

This website is partially compliant with the [Web Content Accessibility Guidelines version 2.1](#) AA standard. The non-compliances and exemptions are listed below.

## Non-accessible content

The content listed below is non-accessible for the following reasons.

### Non-compliance with the accessibility regulations

#### *Tab Order – Cookie Notice*

The cookie notice, which appears at the top of any page until it has been dismissed, should be first in the tab order – i.e. when using the Tab key to navigate a page, the cookie notice should be accessed (“tabbed to”) before any other content. Currently, the cookie notice is last in the tab order.

This issue fails the following WCAG 2.1 Success Criterion:

- 2.4.3 Focus Order [Level A]

Work is underway to replace the current cookie notice, and when the new notice is implemented it will be placed first in the tab order. This work is expected to be completed by 28 February 2022.

### *Email Newsletter and Sign-up Form*

In December 2020, we introduced an email newsletter, with a sign-up form embedded on our website and online versions accessed via an external website. The service is provided by a third party – [Campaign Master](#) – so we have limited control over how the form and newsletter are designed and built.

We have identified the following accessibility issues:

- The sign-up form and newsletter are structured using nested tables (meaning a table within a table)
- They do not have a page title, language or any headings (although the page of our website where the sign-up form appears does have these elements)
- Form fields do not have sufficient colour contrast or descriptive labels, and related fields are not grouped
- Some images and buttons lack appropriate labels or alternative text

These issues fail the following WCAG 2.1 Success Criteria:

- 1.1.1 Non-text Content [Level A]
- 1.3.1 Info and Relationships [Level A]
- 1.3.2 Meaningful Sequence [Level A]
- 1.4.1 Non-text Contrast [Level AA]
- 2.4.1 Bypass Blocks [Level A]
- 2.4.2 Page Titled [Level A]
- 3.1.1 Language of Page [Level A]

Addressing these issues requires the third-party provider to make changes to the templates they provide as part of the newsletter service. We will work with the provider in 2021-22 to explore what changes can be made.

If you require assistance in signing up for the newsletter, or would like the content of the newsletter to be provided in an accessible format, please [contact us](#).

## **Disproportionate burden**

For each of the following issues, we have assessed the costs and impact involved in resolving the issue alongside the benefits to affected people, and believe that doing so now would be a [disproportionate burden](#) within the meaning of the accessibility regulations. As a result, work is not currently underway to address them.

The Commissioner aims to begin work towards the development of a new website during the financial year 2021-22 (subject to funding being secured, the relevant

governance and decision making procedures, procurement and project timescales). It is expected that a new site would enable us to overcome most of the issues below. We will make another assessment when funding is secured and the project is underway, which is expected to be by November 2021.

We will also ensure information is available by other means wherever possible.

### *PDFs*

Our PDFs and other documents do not meet accessibility standards – for example, the information in them is not structured in a way that would make them accessible to screen reader users.

This fails WCAG 2.1 success criteria including 1.1.1 (Non-text Content), 1.3.1 (Info and Relationships) and 1.3.2 (Meaningful Sequence).

There are over 5,000 PDFs on the website, covering a range of topics and types of information – many of which were created after 23 September 2018, and so are not exempt from the accessibility regulations. The issue has arisen as historically PDFs are the main tool which has been used to create and share our publications and information. Making the information in these documents more accessible would have benefits for some disabled people using the website.

It would take a significant amount of staff time and resource to make this change, and the website is not structured in a way that would easily support this. Changing business processes which result in the creation of new PDF documents on the website immediately would also involve a large amount of work and change to processes.

We believe addressing this issue for documents produced after 2018 now would be a disproportionate burden within the meaning of the accessibility regulations. However, we are working to establish how our processes can change in future and will make another assessment when this is complete, which is likely not to be before March 2022. We will also ensure information is available by other means wherever possible.

If you require assistance – for example if you would like particular information to be provided in an accessible format – please [contact us](#).

### *Responsive Page Layout*

When viewing pages with high zoom, some content becomes unavailable – i.e. it overlaps, is obscured, is no longer usable or disappears – and two-dimensional scrolling (i.e. left-to-right as well as up-and-down) is required. When viewing pages with increased line or character spacing, some content also becomes unavailable.

These issues fail the following WCAG 2.1 Success Criteria:

- 1.4.4 Resize Text [Level AA]
- 1.4.10 Reflow [Level AA]
- 1.4.12 Text Spacing [Level AA]

These issues arise because the website layout is not responsive or adaptive, including to mobile devices, as a result of the age and nature of the website design.

The issues have a substantial impact on some users; however, resolving them would involve high costs as it would require significant website redevelopment.

If you require assistance – for example if you would like particular information to be provided in an accessible format – please [contact us](#).

### *Decisions – Headings and Tables*

The decisions database does not have the required header structure, and may contain nested tables (meaning a table within a table).

In addition, decision pages published before 23 September 2018 do not have the correct, logical heading structure, and contain tables that lack the required structure of column headers and/or are not identified as being for layout purposes only.

These issues fail the following WCAG 2.1 Success Criteria:

- 1.3.1 Info and Relationships [Level A]
- 1.3.2 Meaningful Sequence [Level A]
- 2.4.1 Bypass Blocks [Level A]

These issues arise because of the way the database was created, and the templates and processes used for publishing these decisions.

The decisions database is accessed by approximately 970 users each year. Addressing these issues would enable people using screen reader devices to fully understand the layout and content of the relevant pages such as the decisions database. The content is currently able to be read by a screen reader device, but is read out of context in some cases.

If you require assistance in accessing our decisions – for example if you would like a particular decision to be provided in an accessible format – please [contact us](#).

### *Pop-up Messages*

Pop-ups and other messages that are presented visually – such as the outcome when using the response calculator – are not announced by screen readers, making this information inaccessible to some users.

This issue fails the following WCAG 2.1 Success Criteria:

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- 4.1.3 Status Messages [Level AA]

We are unable to calculate how often the response calculator is used within other pages, but the standalone information page about the calculator is accessed by approximately 800 users each year.

If you require assistance in using the response calculator, please [contact us](#).

### *Tab Focus Indicator*

There is no visible tab focus indicator built into the website. There should be a visible indicator – with a 3:1 contrast, over and above that provided by a web browser – to indicate to a user where they are on the page, and which button or link is ready to be selected, when navigating using the Tab key.

This issue fails the following WCAG 2.1 Success Criterion:

- 2.4.7 Focus Visible [Level A]

Addressing these issues would enable people navigating the website using a keyboard to clearly see where they are on a page, and which link or button is active. Resolving this issue would incur substantial costs. As mitigation, users can alternatively rely on their own browser indicator or add-on in place of a website-specific indicator.

If you require assistance – for example if you would like particular information to be provided in an accessible format – please [contact us](#).

### *HTML Validation*

The website accessibility audit, carried out in March 2020, identified some HTML validation errors, such as missing start or end tags, elements with duplicate attributes, elements not correctly nested, and non-unique IDs.

This issue fails the following WCAG 2.1 Success Criterion:

- 4.1.1 Parsing [Level A]

These issues affected a range of areas of the site. A number of errors were addressed while editing/updating pages to comply with other accessibility requirements, while others have been and continue to be corrected in the course of routine website content maintenance. However, a comprehensive review and action to address immediately would require significant resource.

If you require assistance – for example if you would like particular information on a page affected by these issues to be provided in an accessible format – please [contact us](#).

## **Content that is not within the scope of the accessibility regulations**

### *PDFs and other documents*

Our PDFs and other documents do not meet accessibility standards – for example, they are not structured in a way that would make them accessible to screen reader users.

This fails WCAG 2.1 success criteria including 1.1.1 (Non-text Content), 1.3.1 (Info and Relationships) and 1.3.2 (Meaningful Sequence).

The accessibility regulations [do not require us to fix PDFs or other documents published before 23 September 2018](#) if they're not essential to providing our services. However, if there is a document that isn't accessible which you would like in another format, please [contact us](#) and we will help you.

For PDFs and other documents published on or after 23 September 2018, we are actively considering options for how best to make their content accessible and will update this statement with more information as soon as it is available.

### *Video*

Pre-recorded videos published before 23 September 2020 are [exempt from meeting the accessibility regulations](#).

However, the BSL translations of our "Your Right To Know" guidance do have audio description and descriptive text as well as sign language, and we are working to make the content of other videos available in alternative formats.

Videos published on or after 23 September 2020 will have audio description and captions. This will meet WCAG 2.1 success criteria 1.2.2 (Captions (Prerecorded)) and 1.2.5 (Audio Description (Prerecorded)).

Some videos are hosted externally from our website (on [Vimeo](#)) so we have limited control over some aspects of how the videos are presented.

## **What we are doing to improve accessibility**

During 2020 we implemented a number of changes to the Commissioner's website to make it more accessible. Some of these were implemented by the Commissioner's staff, and some were implemented by an external contractor. We are now working to address the remaining issues listed above as 'non-compliant', to ensure as much of the information on the website is as accessible as possible for everyone who uses it.

We aim to begin work towards the development of a new website during the financial year 2021-22 (subject to funding being secured, the relevant governance and decision-making procedures, procurement and project timescales), and it is expected that a new site would enable us to overcome most of the issues described above.

We are also working to establish how our processes can change in future to improve the accessibility of the information and services we provide.

## **Preparation of this accessibility statement**

This statement was prepared on 16 September 2020. It was last reviewed on 14 September 2021.

This website was last tested in March 2020. The test was carried out by Zoonou Limited on behalf of the Scottish Information Commissioner, and included automated testing of all pages on the website as well as manual testing of key pages and user journeys.

The sample of pages was chosen by a project team of the Commissioner's staff. The sample was based on page views and behaviour observed via Google Analytics, and an assessment of the website's main user groups and the information and services that the website provides for them.

You can read the [full accessibility test report](#) for further information about the test and its findings.



# Document control sheet

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Summary of changes to document				
Date	Action by <i>(initials)</i>	Version updated <i>(e.g. v01.25-36)</i>	New version number <i>(e.g. v01.27, or 02.03)</i>	Brief description <i>(e.g. updated paras 1-8, updated HOPI to HOCS, reviewed whole section on PI test, whole document updated, corrected typos, reformatted to new branding)</i>
14/07/21	BOW	02.00	02.01	New document created following approval of draft
14/07/21	BOW	02.01	02.02	DCS updated, published on website
04/08/21	JC	02.02	02.04	Proposed amendments regarding online appeal service
15/09/21	EMG	02.04	02.05	Accepted proposed changes following SMT approval
23/09/21	BOW	02.05	02.06	DCS updated, published on website