Stellenbosch Municipality

Universal Access Policy

(Approved 27 January 2021)

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EXECUTIVE SUMMARY

The mission to of Stellenbosch Municipality is to "deliver cost-effective services that will provide the most enabling environment for civil and corporate citizens". As a means to deliver on this mission, Stellenbosch Municipality is guided by the South African Constitution (1994), United Nations International Convention on the Rights of Persons with Disabilities and Optional Protocol (to which South Africa is a signatory since 2007), the Promotion of Equality and Prevention of Unfair Discrimination Act (2000), Employment Equity Act (2001), the White Paper on Transforming Service Delivery – Batho Pele (1997), along with other legislation listed in the Legislative Framework in **ANNEXURE 1**.

As a commitment to strive for Universal Access (UA), Stellenbosch Municipality supported by their Values: Integrity, Accountability, Transformation and Innovation, supports the creation of accessible communication material, information systems and infrastructure throughout the Municipality. To understand and implement UA, Stellenbosch Municipality is informed and guided by Universal Design (UD), a **process** of embedding **choice** for all **people** in the **things** we design to do.

1. UD is a **process** rather than a final type of product, space or system. In accepting that UD is a process, Stellenbosch Municipality concede to the fact that it will never be completed, but that we commit to a lifetime of learning and understanding of different users' needs, abilities and desires.
2. **Choice** involves flexibility and multiple alternative means of use and/or interface.
3. **People** include the full range of people regardless of age, ability, sex, economic status, race or religion.
4. **Things** include spaces, products, information systems and any other things that humans manipulate or create.

The need for a UA Policy stems from the Municipality's commitment to ensure equal service to persons with disability and the statistics obtained from SASSA, SA Census 2010, and the establishment of a civil Disability Network within the municipal area, whilst keeping in mind that a large percentage of people do not identify any degree of limitations as a disability. For this reason, the direct beneficiaries of a Universal Access Policy will be approximately 7,9% of the population. However, the secondary beneficiaries including pregnant women, people travelling with small children, children younger than 14 years and elderly people will total to an estimated 65% of the total Municipal population.

The approved White Paper on the Rights of Persons with Disabilities consists of 9 pillars and an implementation matrix (2015-2030) with specific targets for all spheres of government. The role of local government is clearly indicated with a specific reference to achieving universal access. **(ANNEXURE 2)**

List of abbreviations

Abbreviation		Explanation
DPO	Disability Persons' Organizations	Organizations representing and serving persons with disabilities
IDP	Integrated Development Plan	Integrated Development Planning is an approach to planning that involves the entire municipality and its citizens in finding the best solutions to achieve good long-term development. Once the IDP is drawn up all municipal planning and projects should happen in terms of the IDP. The annual council budget should be based on the IDP. Other government departments working in the area should take the IDP into account when making their own plans.
LED	Local Economic Development	To build up the economic capacity of a local area to improve its economic future and the quality of life for all. It is a process by which public, business and nongovernmental sector partners work collectively to create better conditions for economic growth and employment generation. (World Bank)
MAYCO	Mayoral Committee	Committee existing of the Mayor and all portfolio councillors
SASSA	South African Social Security Agency	Agency responsible for the administration of Social Grants
UA	Universal Access	The equal ability of **all** people to participate in any process irrespective of their diverse needs/requirements
UD	Universal Design	UniversalDesign.com defines Universal Design (UD) as the process of embedding choice for all people in the things we design. Universal Design continues to evolve as both designers and users broaden their understanding and experience of different users' needs, abilities and desires. The more you know about UD, the more you realize that there will always be more to learn. Universal Design is a lifelong learning opportunity, and no one knows it all. We are all students of Universal Design who can learn from each other about how to better design things for all people.
WPRPD	White Paper on the Rights of Persons with Disability	Gazetted March 2016 to provide policy directive for SA on the Rights of Persons with Disabilities

1. INTRODUCTION

The policy intends to create a conducive environment to address issues affecting people with diverse needs/requirements including persons with disabilities within the Stellenbosch Municipal area. It provides guidance on the development and implementation of programmes aimed at promoting the rights and freedoms of people with disabilities as well as other persons with diverse needs/requirements. It advocates for the mainstreaming of issues affecting persons with disability and diverse needs/requirements into municipal departments and directorates. The policy is firmly grounded on the principle that UA should be made integrated into project conceptualization, planning and implementation of IDP programmes in all departments. It also suggests models and mechanisms for coordination of UA implementation, monitoring and evaluation.

In terms of the United Nations Convention on the Rights of Persons with Disabilities persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others. The same document also speaks of disability being an evolving concept and that disability results from the interaction between people with functional limitations and the attitudinal and environmental barriers that hinder full and effective participation in society on an equal basis.

It is thus important when considering programmes or policies that the approach should make provision for addressing attitudes, processes, knowledge and the environment in which people with divers needs, including people with disabilities, function.

The White Paper on the Rights of Persons with Disability (WPRPD) does not introduce a policy shift. Nor does it replace any sector specific policies on disability. It reiterates that the primary responsibility for disability equity lies with national, provincial and local government; and other sectors of society but also allocates responsibilities to persons with disabilities and their families. The vision of the WPRPD is the creation of a free and just society inclusive of all persons with disabilities as equal citizens.

In order to achieve the above, universal accessibility should not be viewed as just physical changes to buildings and the like, but inclusion through the acceptance of Universal Design Principles in the development of standards and guidelines. The term "Universal Design" has evolved from the "Barrier Free Design" and "Accessible Design", design processes that focused specifically on addressing the needs of people with disabilities. Universal Design goes further by recognizing that we all exist somewhere on a wide continuum of human ability. Everyone, even the most able-bodied person, passes through childhood, periods of temporary illness and injury, and old age. By designing for the more limited abilities on the continuum, we can create environments, products, and services that will be easier for all people to use, regardless of their abilities, age or current state of health.

2. STRATEGIC POSITIONING

2.1. VISION

To create accessible communication media, information systems and infrastructure to lead to the full participation and equal access to opportunities for all people, including people with disabilities within the jurisdiction of Stellenbosch Municipality.

2.2. MISSION

This policy aims to ensure the human rights of people with diverse needs/requirements through the alignment of projects and programmes to support universal participation and equalization of opportunities for all people, including persons with disabilities. Stellenbosch Municipality aims to achieve said mission through:

2.2.1. Promotion of equal opportunities and full participation or inclusion of people with diverse needs/requirements in the economic, social and political life through the introduction of UA and UD.

2.2.2. Prioritization and integration of UA and UD principles into the IDP and subsequent budget of all departments.

2.2.3. Inter-departmental approach in the planning and implementation of disability-related services and programmes.

2.2.4. The integration of disability issues into line functions of the Municipality's departments as well as a commitment on the part of the Stellenbosch Municipality to address disability issues appropriately.

2.2.5. People with diverse needs/requirements are capacitated to enable them to live productive and sustainable lives.

2.2.6. Physical, social, economic and other barriers that prohibit or limit access of persons with disability are removed through creation of conducive and accessible environments.

2.2.7. Ensure appropriate allocation of funds to designated programmes of different Municipal Departments to give effect to the policy.

2.2.8. Monitoring and evaluating the impact of UA programmes as part of our commitment to improve service delivery through UD.

2.3. PRINCIPLES AND UNDERLYING VALUES

In order to ensure all programmes, processes and infrastructure introduced by Stellenbosch Municipality ensures UA, this policy adopts the seven principles of UD **(ANNEXURE 3)** to guide departments on the requirements to achieve UA:

2.3.1 Equitable Use

2.3.2. Flexibility in Use

2.3.3 Simple and Intuitive Design

2.3.4   Perceptible Information

2.3.5   Tolerance for Error

2.3.6   Low Physical Effort

2.3.7   Size and Space for Approach and Use

The above principles support the key principles of the White Paper on the Rights of Persons with Disabilities:

2.3.8   Respect for inherent human dignity and individual autonomy

2.3.9   Non-discrimination

2.3.10 Full and effective participation and inclusion in society

2.3.11 Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity

2.3.12 Equalisation of opportunities

2.3.13 Accessibility

2.3.14 Equality between men and women' and

2.3.15 Respect for the evolving capacities of children with disabilities and for their right to preserve their identities

2.4. PRIORITIES

There are effectively no programmes that are a priority over others as Universal Access is a systematic upgrade of all policies, planning, products, services, communication and processes that will allow for all persons with diverse needs/requirements to go about their lives unassisted and without prejudice. This policy purports to ensure said systematic upgrade through the holistic uptake of Universal Access and Universal Design as the basis for all endeavours. The approach should be augmented by integrated and coordinated management of planning, implementation, as well as monitoring and evaluation of programmes by line departments, thus utilising structures as the Director's Forum in order to realise this goal. It is recognized that not all of the priorities are the mandate of local government and in such cases Provincial Government should be lobbied. The Municipality should prioritize programmes that include but are not limited to:

2.4.1. All new developments to be aligned to UD

2.4.2. Prioritize projects that are linked with Safety and Security

2.4.3. Public participation

2.4.4. Accessibility

2.4.5. Economic Development

2.4.6. Health Care

2.4.7. Inclusive development/education and sport/recreation

2.4.8. Community Development and networking

2.5. OBJECTIVES

To facilitate the development and implementation of municipal services, processes, facilities and projects that is accessible to all persons with diverse needs/requirements including people with disabilities (mainstreaming) through the systematic integration of UA and UD.

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
That employees with diverse needs/requirement, their families and the community is made aware of existing government policies, programmes and services.	Removing barriers to access and participation. Changing attitudes and behaviour – Develop and implement a Disability Rights Awareness Plan	Plan finalised MOA's signed with 2 strategic partners Minimum 1 community dialogue per annum	Plan reviewed MOA signed with 5 strategic partners Minimum 2 community dialogue per annum	Community Development IDP HR
	Supporting Sustainable integrated Community life: Building socially cohesive communities and Neighbourhoods: Include the rights of persons with disabilities in all social cohesion and human rights promotion programmes and messages.	50% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities	100% of all social cohesion and human rights promotion programmes and messages highlight the rights of persons with disabilities	Community Development New Housing Development Informal Settlements
	Removing Barriers to access and Participation: All public and private institutions must ensure equitable access to and participation in programmes and services – This includes the development and publication of reasonable accommodation measures in service charters and standards	Develop Reasonable Accommodation Standards	Publish and implement standards	Engineering Services Corporate Services Community and Protection Services
	Removing Barriers to access and Participation: Enforcing barrier free participation for all persons in line with approved regulatory licencing requirements.	100% enforcement	100% enforcement	Building Control Business Licensing Public Transport
	Supporting Sustainable integrated Community life: Provide information on available service to all parents and care-givers of children	Disability information portal in place and information updated annually	Information available in print format in all three of the official languages of the WC	ICT Community Development

Objective	WPRPD Pillar and Policy Directive	KPI/Target 2020-2025	KPI/Target 2026-2030	Responsibility
Consulting with stakeholders in a conducive environment for equal participation to ensure a collaborative approach to addressing the needs of persons with disabilities in municipal service delivery.	<u>Supporting Sustainable integrated Community life:</u> Address violence against women/girls/boys and the LGBTI community– appropriate measures must be taken to ensure that women, girls and boys are and feel safe living in their communities	50% of the municipality's programmes provide for the inclusion of women, children, LGBTI community	100% of the municipality's programmes provide for the inclusion of women, children, LGBTI community	All Directorates
	<u>Supporting Sustainable integrated Community life:</u> Accessible human settlements/neighbourhoods – Include supported community living plans in all IDP's. The plans and budgets must make provision for coordinated and integrated community living support plans, focussing in particular on access to the built environment, integration of transport nodes and human settlement spatial design	Supported community living plans included in IDP		IDP Planning and Economic Development Engineering Services
	<u>Supporting Sustainable integrated Community life:</u> Protection during situations of risk and disaster – Review all disaster management plans to ensure provision for persons with diverse needs including disabilities in emergencies. Plans must incorporate provisions to map homes and/or institutions in which persons that might require special assistance during emergencies are living. Training of disaster management personnel to prevent injury during evacuations which might result in primary or secondary impairments is required.	100% of disaster management plans reviewed (inclusive of maps for 75% of the area) and universal design access plans developed and implemented.	100% of disaster management plans reviewed (inclusive of maps for 100% of the area) and universal design access plans developed and implemented.	Disaster Management
	<u>Supporting Sustainable integrated Community life:</u> Provide accessible emergency services – Municipal emergency services must put in place reasonable accommodation support systems and trained emergency personnel to ensure equitable and immediate access to services for persons with disabilities	100% of emergency personnel have been trained Reasonable accommodation measures in place in 100% of municipal emergency services, including for deaf and		Fire and Disaster Management

Objective	WPRPD Pillar and Policy Directive	KPI/Target		Responsibility
		2020-2025	2026-2030	
		hearing impaired persons		
Assess, prioritise and adapt the physical structural design of council facilities, infrastructure, processes and communication to ensure constant improvement on the accessibility for people with diverse needs ensuring social integration of all groups with dignity and respect.	Supporting Sustainable integrated Community life: Ensure that all community development programmes and community facilities are accessible to persons with disabilities including social, economic, religious, cultural, sport and leisure and transport facilities and programmes	25% of existing facilities are retrofitted to comply with minimum norms and standards 50% of existing programme comply with accessibility standards	75% of existing facilities retrofitted to comply with minimum norms and standards 100% of exiting programme comply with accessibility standards	Corporate Services Community and Protection Services
	Supporting Sustainable integrated Community life: Provide access to subsidised housing support – Persons with disabilities and single mothers of children with disabilities must have equitable access to the full range of subsidised housing support provided by the state	Development of information explaining and accessing subsidised housing support in all three WC languages completed.		Planning and Economic Development
Systematic review and improvement of HR and Engineering systems, processes and projects to ensure all persons have equal access to employment	Reducing economic vulnerability and releasing human capital: Strengthen and broaden the geographic reach of programmes and projects designed to reduce poverty amongst persons with disability. – Focus placed on: • Accessible and affordable transport • Increasing household income through employment and work opportunities • Provision of accessible transport to health care facilities	Baseline for access to programmes in municipalities established. 25% improvement in access to all programmes	75% improvement in access to all programmes	Corporate Services Engineering Services
Annual monitoring and reporting on implementation of the Universal Access Policy through the scorecards of the Municipal Manager and Directors.	Building a disability equitable state machinery: Develop disability rights and equity commitment statements	100% compliance		Municipal Manager
	Building a disability equitable state machinery: Strengthen Accountability – Include disability outcomes in performance contracts of senior managers across directorates.	Guidelines for disability equity dimensions approved – 100% compliance	100% compliance	Municipal Manager

3. ROLE OF STELLENBOSCH MUNICIPALITY

Although specific roles and responsibilities are outlined with specific attention to the Office of the Municipal Manager and the Department Community Development, all directorates and departments have a responsibility in mainstreaming the rights of persons with disability within their realm of responsibilities. Each directorate has a specific function in service delivery to the community and are responsible for the inclusion of UA and UD in the conceptualization, implementation and reporting of projects.

3.1. KEY INSTITUTIONAL MECHANISMS

    3.1.1. Utilizing relevant MAYCO member offices (getting buy-in from highest political authority) to support universal access budget and interventions.

    3.1.2. Encouraging the participation of people with disabilities in the Municipality's processes (e.g. IDP reviews).

    3.1.3. Consulting with disabled people's organizations (DPO's) through the Stellenbosch Disability Network

    3.1.4 Disability programming and implementation processes must be handled by managers in different departments of the Municipality and reported to the Department Community Development through a designated disability liaison.

    3.1.6 Implementation of this policy will be measured through the annual review of the personal SCORECARDS of directors.

3.2. THE ROLE OF THE OFFICE OF THE MUNICIPAL MANAGER

    3.2.1. Implement agreed performance management targets related to Universal Access on annual basis with all directors.

    3.2.2. Include target of 2% employment for persons with disabilities in performance agreement of each director.

    3.2.3. Monitor and evaluate programmes implemented by departments and directorates for UA responsiveness or sensitivity according to agreed performance targets.

    3.2.4. Ensure the implementation of the Universal Access Policy for the Stellenbosch Municipality and report on said improvements annually to council.

3.3. THE ROLE OF THE DEPARTMENT COMMUNITY DEVELOPMENT

3.3.1. Liaise with the Provincial and Local Government Departments on disability issues. Coordinate and mainstream UA policies in municipal strategies and structures.

3.3.2. Network and liaise with the Stellenbosch Disability Network.

3.3.3. Assist the Performance Management Unit and line departments with the process of developing sector-specific indicators in the Municipality relying on Universal Design Principles.

3.3.4. Provide guidance for UA analysis and facilitate inter-departmental collaboration among departments in the mainstreaming of disability into the policies, planning, programmes, IDP and budget.

3.3.5 Implement programmes of benefit to people with disabilities in conjunction with civil society organizations for people with disabilities, as per the Community Development Strategy.

4. POLICY REVIEW

This policy will be reviewed in 2023.

LEGISLATIVE FRAMEWORK

The following legislative frameworks guide and inform decisions relating to the Universal Access Policy Framework: in South Africa

The Constitution of the Republic of South Africa (1996)

National Development Plan 2030

Promotion of Equality and Prevention of Unfair Discrimination Act (4 of 2000)

Employment Equity Act (55 of 1998)

Skills Development Act (97 of 1998)

National Building Regulations and Building Standards Act (103 of 1977)

Basic Conditions of Employment Act (75 of 1997)

Occupational Health and Safety Act (85 of 1993)

The Labour Relations Act (66 of 1995)

Disability Framework for Local Government 2009-2014

Integrated National Disability Strategy

Code of Good practice for disability in the workplace

United Nations Convention on the Rights of Persons with Disabilities

The White Paper on Transforming Service Deliver – Batho Pele (1997)

The White Paper on the Rights of Persons with Disabilities (2016)

Technical Assistance Guidelines for the employment of persons with Disabilities (2017)

National Veld and Forests Fire Act, 1998 (Act No. 101 of 1998)

National Environmental Management Act No. 107 of 1998

UNIVERSAL ACCESS PRINCIPLES

Equitable Use: The design is useful and marketable to people with diverse abilities.

- All potential users could use this product in essentially the same way, regardless of differences in personal capabilities.
- Potential users could use this product without feeling segregated or stigmatized because of differences in personal capabilities.
- Potential users of this product have access to all features of privacy, security, and safety, regardless of personal capabilities
- This product appeals to all potential users.

Flexibility in Use: The design accommodates a wide range of individual preferences and abilities,

- Every potential user can find at least one way to use this product effectively.
- This product can be used with either the right or the left hand alone.
- This product facilitates (or does not require user accuracy and precision.
- This product can be used at whatever pace (quickly or slowly) the user prefers.

Simple and Intuitive: Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.

- This product is as simple and straightforward as it can be
- An untrained person could use this product without instructions
- Any potential user can understand the language used in this product
- The most important features of this product are the most obvious
- This product provides feedback to the user

Perceptible Information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.

- This product can be used without hearing
- This product can be used without sight
- The features of this product can be clearly described in words (e.g in instruction manuals or on telephone help lines)
- This product can be used by persons who use assistive devices (e.g eyeglasses, hearing aids, sign language)

Tolerance for Error: This design minimizes hazards and the adverse consequences of accidental or unintended actions.

- Product features are arranged according to their importance
- This product draws the user's attention to errors or hazards
- If the user makes a mistake with this product, it won't cause damage or injure the user
- This product prompts the user to pay attention during critical tasks

Low Physical Effort: The design can be used efficiently and comfortably and with a minimum of fatigue.

- This product can be used comfortably (e.g. without awkward movements or postures)
- This product can be used by someone who is weak or tired
- This product can be used without repeating any motion enough to cause fatigue or pain
- This product can be used without having to rest afterward

Size and Space for Approach and Use: Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture or mobility.

- It is easy for a person of any size to see all important elements of this product from any position (e.g. standing or seated)
- It is easy for a person of any size to reach all the important elements of this product from any position (e.g. standing or seated)
- This product can be used by a person with hands of any size.
- There is enough space to use this product with devices or assistance (e.g. wheelchair, oxygen tank, or service animal)