

Procurement and Accessibility from Words to Action

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in Vienna

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The Swedish Disability Rights Federation

National umbrella for 41 organisations of persons with disabilities

Members of European Disability Forum

Find gaps that prevent fulfilling the Convention on the Rights of Persons with Disabilities. Improve and strengthen state parties to implement the CRPD.



WORDS MATTER

Technical specifications **should whenever possible** be defined so as to take into account accessibility criteria for people with disabilities or design for all users. (article 29, 2004/18/EC)

For **all procurement which is intended for use by natural persons, whether general public or staff of the contracting authority**, the technical specifications **shall**, except in duly justified cases, be drawn up so as to take into account accessibility criteria for persons with disabilities or design for all users.
(article 42, 2014/24/EU)

“...the technical specifications shall be determined given the needs of all users, including accessibility for persons with disabilities.” (national implementation)



Systematic inclusion of accessibility

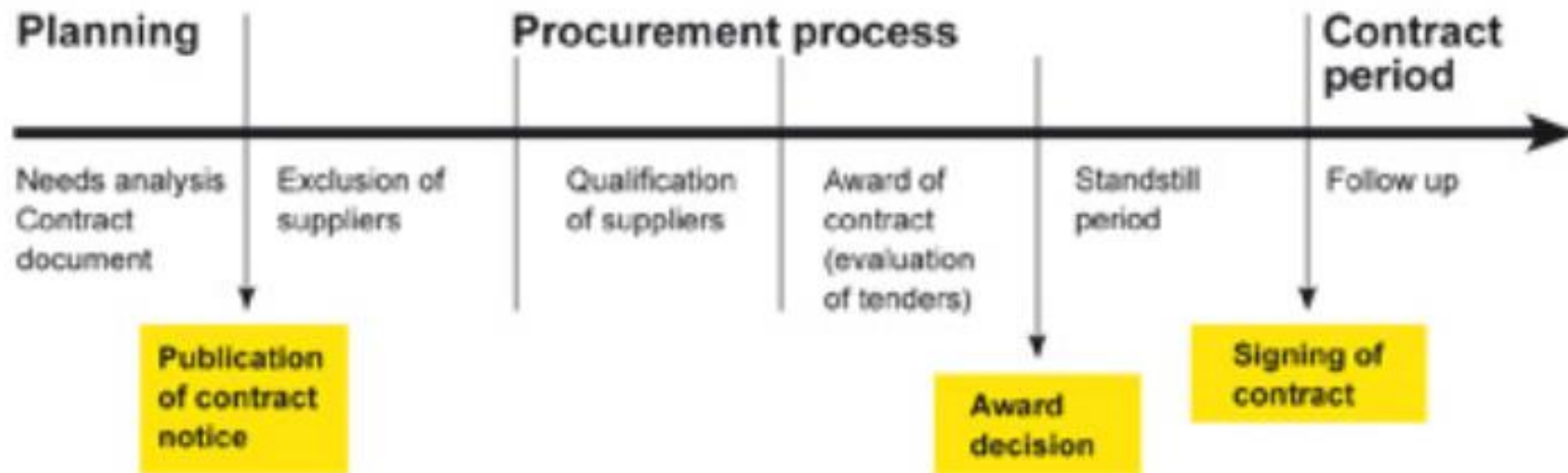
Systematic inclusion of accessibility requirements “in **all public procurement agreements**”.

UN CRPD committee recommendation April 2014

“It is important that, at an early stage of the public procurement process, contracting authorities and entities apply **the principle of universal design**, that is, they **should think strategically** so as to ensure that products and services can be used by as many people as possible and should not exclude certain users in advance.”

National Public Procurement strategy (2017)

Stakeholder involvement and Universal Design



Web Accessibility Directive Increased demand for accessibility experts and support on how to write tenders

Universal Design - EN 17161 Accessibility Following a Design for All approach (published 2019) guidance on involvement of “non users” in needs analysis, in agile development, along end-to-end chain and in follow up.



Conclusions

Social considerations is an ambition, not a requirement, main focus on promoting employment for disadvantaged groups through suppliers. Sustainable focus on "green"

Guidance related to disability specific services takes up accessibility as optional, lack of mainstream guidelines

Usability in framework agreements for ICT in the work place. Does not (yet) consider excluded "non" users, Universal Design and accessibility standards.

Lack of meaningful data and monitoring of systematic inclusion of accessibility requirements in procurement

Wishlist for further action



UN level

Include accessibility in the promotion of sustainable procurement SDG 12.7 and 12.1 (UNEP green public procurement)



EU level

- Monitoring of national transposition and enforcement of article 42 in the Public Procurement directive
- Research on universal design and accessibility in procurement
- Accessibility marker in e-tender platform TED

National level / All levels – Stakeholder analysis training commitment

Decision-makers, politicians, procurement professional, academia and organisations of persons with disabilities

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Extra material

More background in following slides and some links

Sweden:

[Swedish Public Procurement Act](#)

[National Public Procurement strategy](#) (2017)

[Swedish Standards Counsumers & Workers Council](#)

Ireland:

[Public Procurement Guidelines for goods and services](#) (2017)

[Procurement and accessibility](#) (National Disability Authority 2012)

ISO

[ISO 20400 Sustainable Procurement](#)

Disability specific guidance in Sweden

Accessibility is not included in the sustainable criteria data base

[Criteria wizard the National Agency for Public Procurement](#)

Guidelines for procurement of disability specific services, indicate that “accessibility requirements **may** apply”

[Kravspecifikation för upphandling av hemtjänst \(2014\)](#)

[Lagen om valfrihet Vägledning för utförare \(2014\)](#)

[Kravspecifikation för upphandling av verksamhet för personer med funktionsnedsättning \(2016\)](#)

ICT specific: [Guidance for application of EN 301 549](#)

Guidelines in Ireland

Over the threshold €750,000 Contracting authorities are **required to...**

◁ the contracting authority **may** take account of relevant considerations including the need to ensure quality, continuity, accessibility...

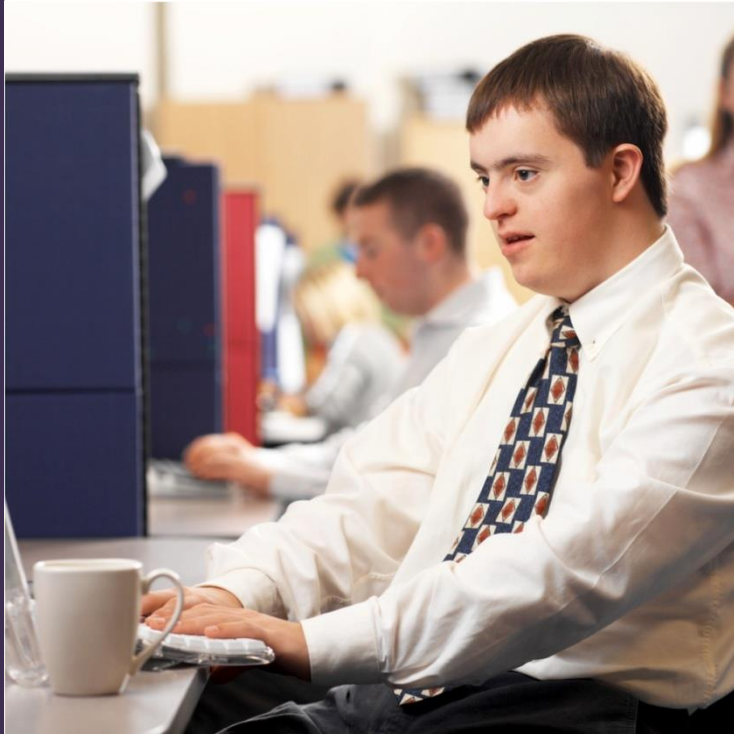
Contracting authorities have discretion to disqualify candidates for competing in a public procurement competition for the following reasons...

◁ where the contracting authority can demonstrate violations of environmental, social and labour law obligations including rules on accessibility for disabled persons

Example: [Procurement of e-Tender platform](#) (2018)

[Public Procurement Guidelines for goods and services](#) (2017)

[Procurement and accessibility](#) (National Disability Authority 2012)



Usability in Framework Agreements

EU-project ACCENT 1998: “Define accessibility in the context of “user friendliness” and “ease- of-use”, as this has more obvious relevance to many organisations.”

ICT procurement public sector, examples mobile telephones, printers, authoring tools, consultants
2018 Accessibility still close to usability ISO 9241-210 - 11

No accessibility marker in templates for call offs
No data available on accessibility requirements.

Guidelines “Call off Usability” 2005 Updated 2013,
Guides for Usability competence

Accessibility requirements – Public agencies

Question about accessibility requirements in procurement
 Changed question in 2017 about internal policy documents mention
 requirements in accordance with national public procurement legislation
 Source: Public Agency of Participation

2011	2012	2013	2014	2015	2016	2017'
39 percent	43 percent	45 percent 131 response s	46 percent 130 response s	46 percent 117 response s	47 percent	28 percent

Accessibility requirements in procurement – municipalities

Subject matter	2015	2016
Administrative ICT system for time reporting More than 60 per cent do not know	7 %	4 %
Intranet Almost 60 per cent do not know	21 %	21 %
Accessibility requirement for built environment to facilities 32 per cent in 2015 and 20 percent in 2016 do not know	33 %	45 %
Procurement related schools, learning material, About 30 per cent do not know Independent schools are not covered	63 %	65 %

Source: Public Agency of Participation

Stakeholder involvement in standardisation

Swedish Standards Consumers & Workers Council is working to promote user representation in standardization and the application of relevant standards.

Stakeholders: Non-profit organisations representing, consumers, trade unions, environment and persons with disabilities

The “Swedish model” of financing fees and travel instead of free participation of experts from NGO:s in standards aims at achieving equal treatment and the same financial contribution to the technical committees.

Swedish Standards Consumers & Workers Council

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Sustainable procurement ISO 20400



“Every organization has environmental, social and economic impacts.” Universal Design is one possible driver for sustainable procurement.
Alternative texts for figures in the document.

Stakeholders: Experts from the whole world on procurement in Public sector, Industry, NGO and close liaison with UN, input from OECD, ITUC, EU



Standards development related to
ISO 26000 Social responsibility

[ISO 20400 Sustainable Procurement](#)