How do you remove online ADA risk?

Organizational risk to manage

Online ADA (Americans with Disabilities Act) is an organizational risk to manage, not purely a web / IT problem to fix. Removing online ADA risk requires a risk management approach.

Where to start - understand the risk

The starting point is to assess and establish your risk position.

This can be a challenge for risk managers, compliance managers and executives as reporting tends to be over-complex and technical.

In addition, reporting is rarely independent – the people responsible for websites (web / IT teams) are also reporting on the compliance status for the site. They in turn rely on third party vendors promises of compliance. It's the equivalent to a fourth-grade student marking their own homework or a builder signing off their own work.

Start with an independent and immediate understanding of your risk position; red = bad, green = good. https://AAAtraq.com/check/

Risk control program

A risk management approach requires a risk control program and should include:
- **An ADA compliance plan** to address the rout causes of failure – rather than continuously addressing the symptoms.
- **Full claims / response management** should you receive a lawsuit or legal demand.
- **Litigation costs coverage insurance** – however diligent you are, things can and do go wrong – insurance cover provides complete peace of mind.

ADA Compliance Plan

Resist the temptation to continually make website fixes

Whilst you are going to need to make 'fixes' to your website, you need to put solid foundations in place first. Your aim should be to fix the website *once* and then maintain.

Train staff first

Training staff and giving them the confidence to publish accessible 'right-first-time' content going forward is essential to break the 'publish and fix' cycle.

Make vendors accountable

Make vendors (platforms and software providers that you use on your site ,e.g., chat functions, consent management services etc.) and consultants and technicians that do work on your site *accountable* & have a way of monitoring the impact of any work that they do. If they are making promises of compliance,

ensure that this is backed up and with an adequate indemnity and guarantee that they will take responsibility for any legal claim.

Prioritize website fixes

Now that you have solid foundations in place, you can address the issues on the website. You should prioritize fixes to remove the greatest exposure and make some 'quick wins'.

ADA claims response / management

Ensure that you have the necessary expertise on hand in the event of a claim (technical, legal and subject matter expertise). Receiving a legal demand and finding the people to support you can be very time consuming, distracting and expensive.

You will need an audit trail of the work you have done – to show reasonable adjustment which is what the law requires.

ADA Insurance

Achieving ADA compliance can take several months – and then there is the challenge of maintaining compliance. Staff make mistakes and vendors make changes than can impact compliance. Litigation cost coverage insurance is essential for complete peace of mind.

Does all this sound expensive?

These are the elements of a risk control program. To put all of this in place can seem prohibitively expenses – but don't worry, we have the answer – find out more about AAAtraq's Continuous Protection (CP) – the intelligent, automated Risk Control Program that will save you thousand-of-dollars.