2022

Essential Website Compliance Handbook

monsido®
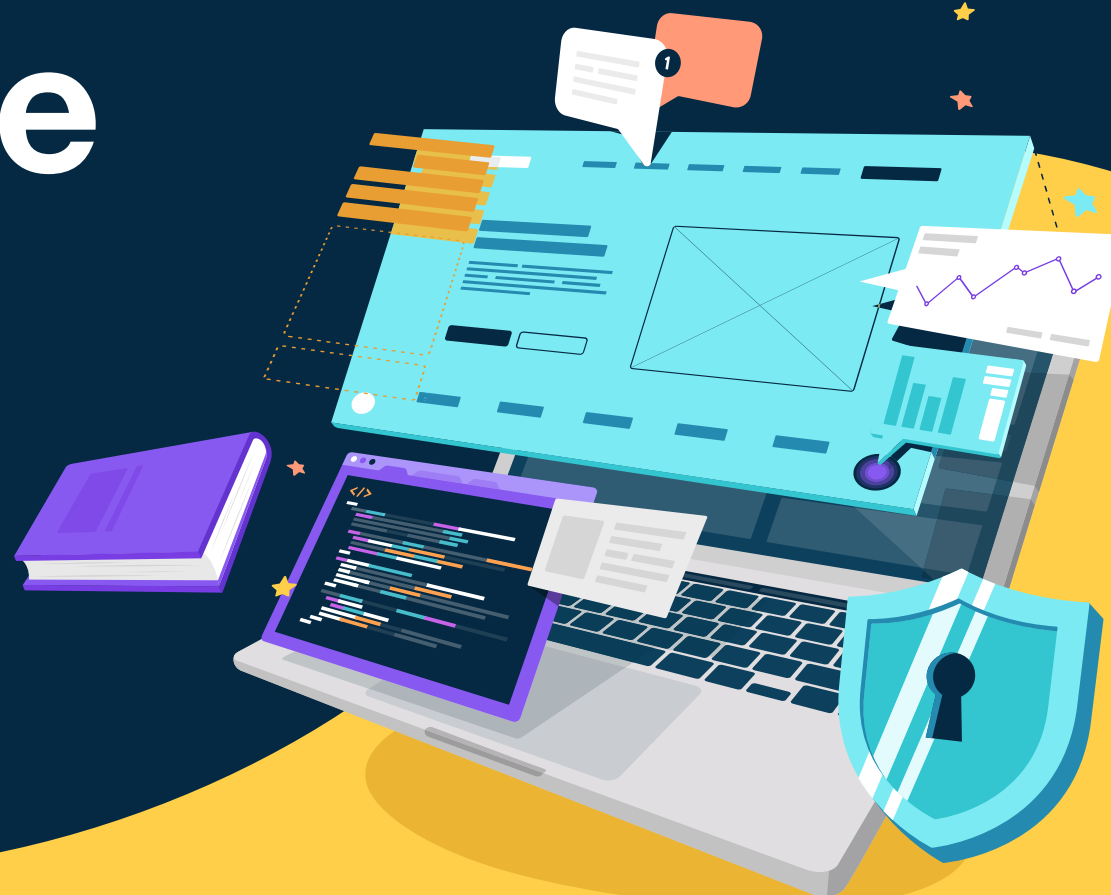
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Introduction

Your website is your organization's main digital showroom and storefront. And just like any other part of your organization, your website needs to comply with any requirements that may apply to your business. Though you're likely aware of the general legislation your organization needs to adhere to, particularly for your industry, things might start to get less clear when it comes to digital considerations.

Web compliance can seem intimidating if you're trying to tackle it all at once and you don't know where to begin. That's why we've prepared this handbook for you, as a guide to navigate the basics of creating a compliant website. In this handbook, you'll find:

> An overview of legislation & standards
> Convenient checklists
> How-to's and examples
> And more...

Let's get started.
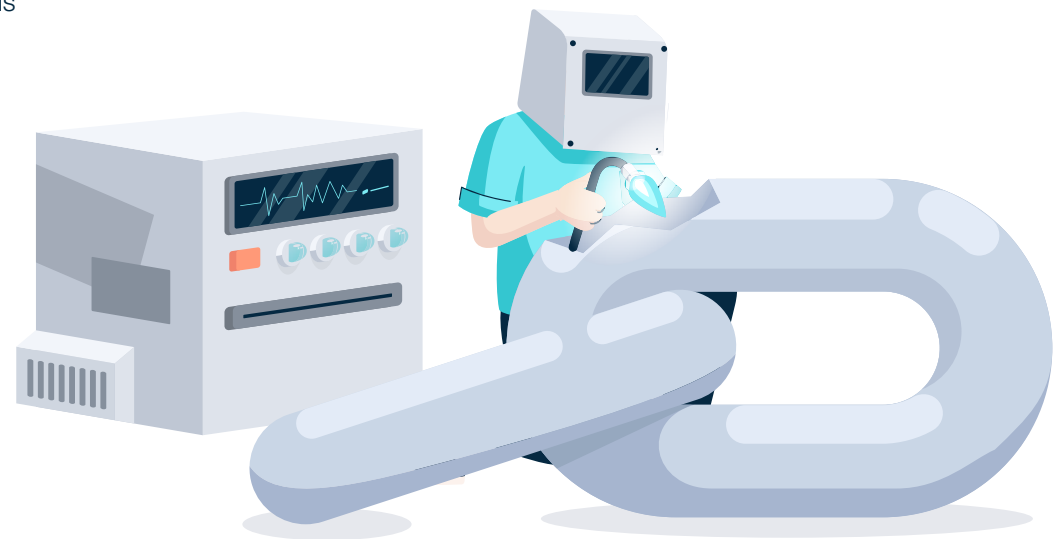
Part 1: Introduction to Web Compliance

Compliance

/kəmˈplʌɪəns/

noun

the state or fact of according with or meeting rules or standards.

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Source: Oxford Languages

Seems straightforward enough, but the definition becomes tougher to nail down when you add the term **website**.

What is website compliance?

The short answer is, it depends on who—or where—you ask.

A Google search today in the US will usually yield results focused on web accessibility.
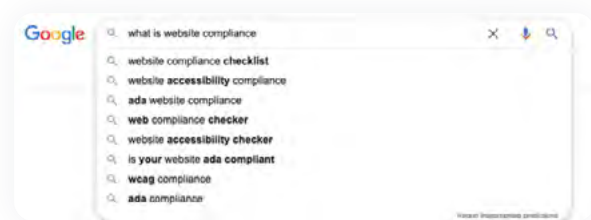
But results may vary from region to region. A search made in Europe may include GDPR compliance.
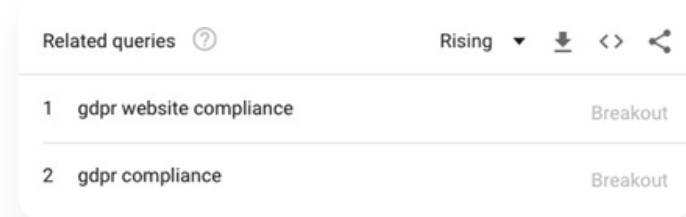
That's because although compliance with accessibility legislation is a very important part of creating a compliant site, it's not the only legislation that governs websites.

Website compliance encompasses much more, including:

Data Privacy and Cookies Consent Management
How does your site deal with user data? What data does it collect from users? What are your cookie settings and is it easy for users to understand your policy?

Cybersecurity:

Are you regularly updating your security protocols to avoid digital attacks? How do you protect your visitors' data from unauthorized access? Do you have a process in place to notify users of breaches?

Content Guidelines:

Are you ensuring that the content on your site complies with your own internal guidelines? And guidelines for your industry? Is it up-to-date? What are the conditions for how users share your content?

Industry-specific compliance:

Does the content on your website adhere to the requirements of your industry? Do you review your content regularly to remove outdated or non-compliant content?

Copyright:

How do you ensure the IP and copyright of the content on your site is compliant? Do you review every piece of content to ensure that the necessary elements for publishing are clearly stated (e.g. editorial use versus commercial for stock photography)?

Brand & Style Guidelines:

Does your branding align with the needs of your visitors? Do you have an accessible, inclusive design? Are there elements that negatively affect accessibility, such as a lack of captions on video content?

These elements all affect your website's compliance.

And so, a succinct definition then would be "*ensuring a website adheres to any applicable legal requirements and best practices for all visitors*".

With that said, how do you go about creating a compliant website? And more importantly, how will that impact your organization and processes?

Web Compliance Considerations

Ensuring your website is fully compliant with any and all applicable legislation is a baseline for any business or organization. Yet, legal compliance can be daunting for web developers, marketers, and communications professionals alike. Most of us aren't fluent in legalese and that makes navigating through legislation and understanding what applies to your specific site quite difficult.

So, if it's as complex as it is, why not just implement a standard consent banner, check a few accessibility and industry guidelines, and tick compliance off of your to-do list?

Well, to begin with, achieving website compliance isn't something that you can simply set and forget. It requires constant monitoring and optimization as legislation and standards evolve.

Additionally, whenever you make changes to your website, you'll need to consider whether those updates adhere to the latest web compliance standards.

What's more, ensuring your site is not just compliant with legislation and industry standards, but incorporates current best practices has benefits beyond avoiding litigation. It can:

Boost Your Reach
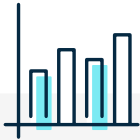
STAT

Worldwide, over one billion people have some sort of disability.

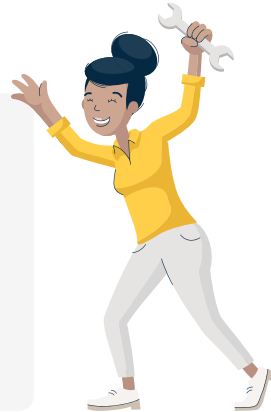By complying with any applicable legislation, your website will be able to reach a larger audience, as you'll be reducing barriers to access. What's more, it won't set off any alarm bells that could make visitors avoid it, ensuring it gives the right signals to search engines.

Here are just a few non-compliance areas that could make a user steer clear of your website:

> A non-accessible design or elements which hinder navigation for users with disabilities
> An intrusive cookies banner with non-user-friendly opt outs (or dark patterns in UX)

> A lack of SSL encryption
> Missing contact information
> A hard to find (or understand) privacy policy
> Imagery or content with dubious copyright

Eliciting trust in digital communications is still a concern for most websites, and by holding every aspect of your website to the highest standards, your visitors will have more reason to stay on your site and feel confident using it.

Improve Your Ranking

Did you know that website compliance has an impact on your SEO? As we mentioned earlier, compliance isn't strictly something that deals with legal standards, but also of those of the platforms that mediate your ability to reach your desired audience.

According to Google's own recommendations, there are numerous elements that give a search engine "good" signals from your website:

1. How fast it loads.
2. How quickly a user can interact with the page.
3. How stable the page is when a user interacts with it.
4. How mobile-friendly it is.
5. How safe it is to browse (HTTPS)
6. How it complies with intrusive interstitials.
7. How relevant the content on the page is to a search query.
8. How high the quality of the content on the page is.
9. How usable the page is by users.

With these factors in mind, you may notice how many of the best practices align with compliance standards, particularly in terms of web accessibility, but also in regards to security and content guidelines.

As SEO moves away from its earlier focus strictly on appeasing the algorithm through keyword density (and yes, stuffing) and backlinks, and toward a more human-centric approach, we'll luckily not find many pages like this:

```
<img src="img_cof_img1.jpg" alt="cmmodel_2" width="700" height="500">
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Our new coffee maker is the best new coffee maker out there. Make great coffee every time with our new coffee maker, that makes all types of coffee; espresso, cappuccino, latte; any coffee you want to make in your best new coffee maker to enjoy coffee from our highly-rated new coffee maker.

In this example, the keyword density is at 13.79%, with 56 words total (far above the recommended density of under 2%). Not only that, but the alt text is not ideal from an accessibility best practices point of view. Search engines penalize this sort of content, as it neither serves your audience with optimal content, nor makes it easy to navigate for people using assistive technology. The lack of an appropriate alt text (a description of the image instead of a random name) makes the content less accessible and doesn't help with SEO.

Instead, more sites will feature quality content that is easy to comprehend and digest by a wider audience. Producing content that complies with WCAG standards makes it even easier to develop an SEO strategy that delights your audience and makes your site rank higher than those that don't comply.

"You may think 'Google can't make me comply with anything; they are a private company'. You are correct in that, but they have demonstrated time and time again with their best practices they set for the industry, say for example, SSL certificates, [...], it becomes a form of compliance."

Jillian Als, Director of Marketing at Monsido.

Elevate Your Brand

Aside from stating the obvious—It's the right thing to do and it promotes inclusivity of digital communications—you can highlight your commitment to accessibility and compliance in your communications, by:
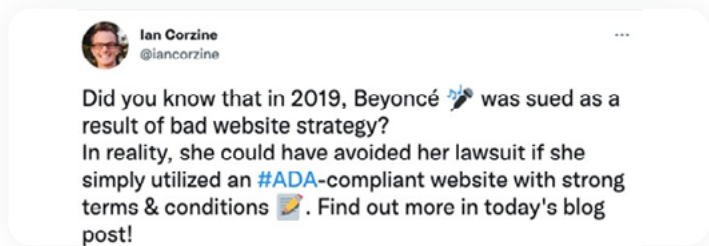
> Issuing an accessibility statement

(Try Our Accessibility Statement Generator) &

> Highlighting how you use your visitors' data with clear privacy and consent policies.

This makes your audience aware that your values align with theirs, and that your brand practices what it preaches not only in messaging, but in implementation of these best practices. Often, legislation plays catch up to the practices we utilize in our digital communications. It's important to consider web compliance legislation as the baseline and not the ceiling of what you can achieve on your organization's website

Audiences do indeed take note of your efforts. With the increase in awareness of the importance of accessibility and other web compliance factors, people in the know on social media are especially quick to notice. Calling out sites that don't adhere to the best practices is more commonplace than ever. Even one of the world's biggest celebrities can be put in the spotlight:

Ian Corzine
@iancorzine

Did you know that in 2019, Beyoncé 💃 was sued as a result of bad website strategy?
In reality, she could have avoided her lawsuit if she simply utilized an #ADA-compliant website with strong terms & conditions 📝. Find out more in today's blog post!

—
Source: Twitter @iancorzine

Aside from the negative image that comes with a site that elicits these callouts, getting this kind of attention is NOT what your website should be known for. Especially considering the rise in web accessibility and compliance lawsuits as well as noncompliance fines!

With these benefits in mind, creating a compliant website seems like the only logical choice. Still, it takes work and an ongoing commitment, so in this handbook, we'll help you figure out what to do to create and maintain a compliant website.

Now that we've covered the basics, we're ready to dive into the standards that impact compliance.
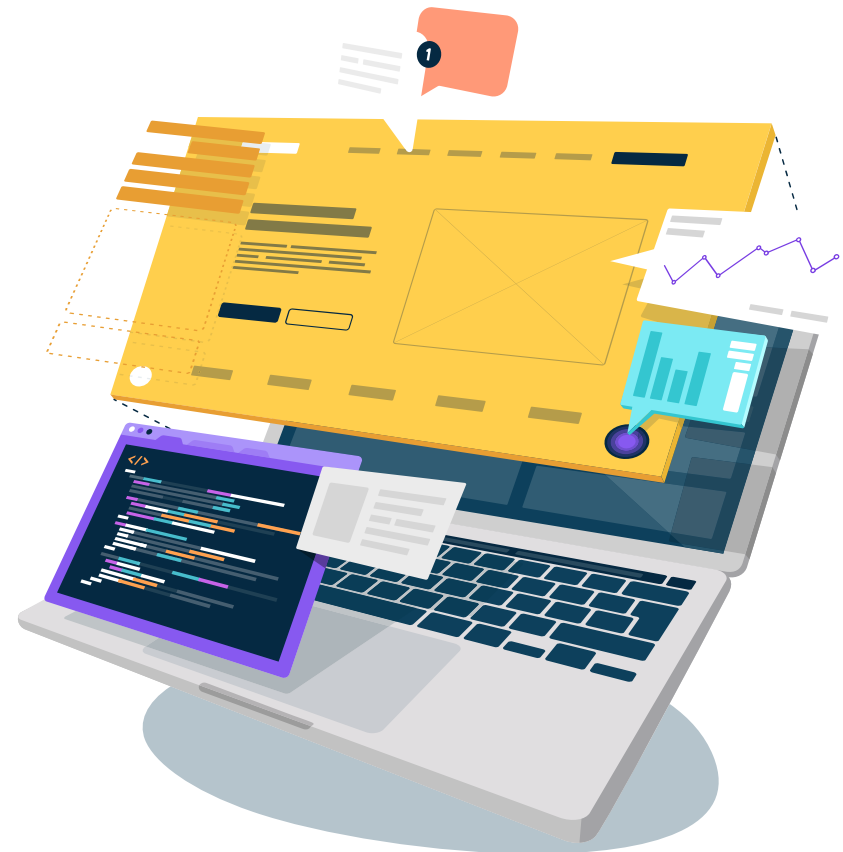
What are the rules?

Let's take a look at some of the main legislation, guidelines, and standards that govern most websites currently in effect around the world.

Accessibility Legislation & Standards

Global

WCAG

The standard setters - The World Wide Web Consortium (W3C)

Background: The WC3 is the main organization which sets international standards for the web. In 1999, they released the Web Content Accessibility Guidelines (WCAG). These guidelines apply to websites as well as to mobile applications, PDFs and other digital platforms. WCAG became the standard most websites refer to when working toward accessibility compliance. Since their initial release, the WCAG has undergone a few iterations—the latest criteria being the WCAG 2.1 (with 2.2 currently in draft version).

Aim: to identify, remove, and prevent barriers for people with disabilities.

WCAG 2.1 has four main principles for accessible website design, which spell out the acronym POUR: Perceivable, Operable, Understandable, and Robust.

There are a total of 13 guidelines under each of these principles. In order to make sure a website is meeting these guidelines, there are a total of 78 testable "success criteria." As of October 2021, the WCAG 2.2 has been in draft version and adds another nine success criteria.

There are three levels of WCAG 2.1 compliance: AAA, AA, and A—level AAA being the strictest.

The accessibility legislation covered in this section refers to WCAG standards when referencing web accessibility conformance levels.

North America

US - Americans with Disabilities Act (ADA)

Background: The Americans with Disabilities Act (ADA), introduced in 1990, covers the equal and fair treatment of people with disabilities. In 2010, the regulations were revised with the 2010 ADA Standards for Accessible Design.

Aim: The Act secures the equal rights of people with disabilities in five fields (referred to as Title I, II, III, IV, and V.):

> Employment
> State and Local Government
> Public Accommodations
> Telecommunication
> Miscellaneous Provisions

Applies to: The ADA requires that all public accommodations, which can include websites, in the United States adhere to it.

Note: The applicability of the ADA to all websites has caused a "circuit split" and is expected to go to the US Supreme Court for a ruling sometime in 2022.

Section 508

Background: Section 508 is a section in the Rehabilitation Act of 1973 that prohibits discrimination on the basis of disability in federal programs or programs receiving federal aid or employment. In 1998 (and again in 2017), the Rehabilitation Act was updated to include Section 508–which incorporates digital accessibility.

Applies to: Section 508 applies to the accessibility of information and communication technologies—meaning anything from websites, to documents, software and hardware, pertaining to Federal Agencies in the United States.


Canada - Accessibility for Ontarians with Disabilities Act (AODA)

Background: The Accessibility for Ontarians with Disabilities Act (AODA) is an act from 2005 that is enforced in the Canadian province of Ontario to identify, remove, and prevent barriers for people with disabilities.

Aim: to identify, remove, and prevent barriers for people with disabilities and achieve accessibility in Ontario in regards to goods, services, facilities, accommodations, employment, buildings, structures, and premises by January 1, 2025.

Applies to: The Act applies to government, private businesses with over 50 employees, nonprofits, and public sector organizations in Ontario.
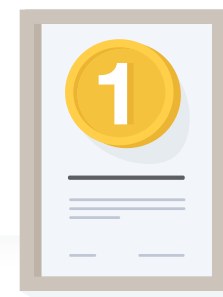
Europe

EU - European Web Accessibility Directive

Background: The EU published the Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, to further the EU's commitment to improve the lives of the 70 million people with disabilities that live in the region in every aspect, including that of web access.

Aim: to standardize and harmonize the framework around the web and mobile accessibility of public sector organizations.

Applies to: public sector bodies in the EU, including State, regional or local authorities, bodies governed by public law, and associations formed by one or more such authorities or one or more such bodies governed by public law.

European Accessibility Act (EAA)

Background: A 2019 directive that aims to improve the functioning of the internal market for accessible products and services, by removing barriers created by divergent rules in Member States. It will enter into effect for private sector organizations by 2025, and Member States will need to have incorporated the legislation into their national laws by 2022.

Aim: For businesses, to establish common rules on accessibility in the EU leading to costs reduction for businesses and create more market opportunities for accessible products and services. For people with disabilities and the elderly, to be able to access more accessible products and services in the market, and add more jobs where accessibility expertise is needed.

Applies to: Private sector organizations in the EU. There are exceptions, including micro-enterprises with less than 10 employees or businesses with less than two million EUR in annual revenue.

APAC

Regional - Australia

Disability Discrimination Act (DDA)

Background: An act passed by the Parliament of Australia in 1992 which makes it unlawful to discriminate against people in many key areas including employment, education, publicly available premises,

provision of goods and services, accommodation, transport, clubs and associations, and other areas on the basis of their disability.

Aim: to provide protection for anyone who has a temporary or permanent disability in Australia from facing discrimination based on a disability.

Applies to: anyone subject to legislation in Australia, including external territories.

The Essential Web Accessibility Handbook by Monsido

Want more on web accessibility? Download our guide **"The Essential Web Accessibility Handbook"** to learn how to implement accessibility standards on your website.

Access the Handbook
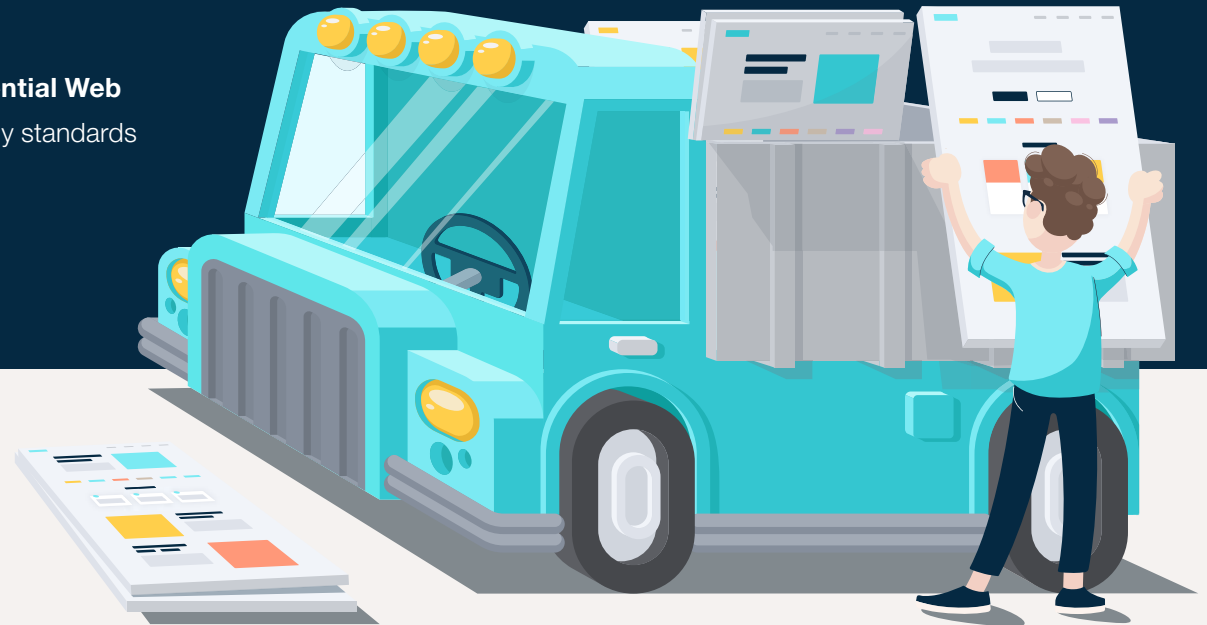
Data Privacy Legislation

Europe

EU - General Data Protection Regulation (GDPR)

Background: GDPR is a regulation in application since May 25th, 2018, meant to protect individuals' rights in the digital age by providing rules for companies and public bodies for how they deal with their user's personal data.

Aim: "making Europe fit for the digital age"— It's intended to be a single law for the EU which does away with fragmentation in different national systems and administrative burdens for dealing with data protection.

Applies: GDPR applies to any organization operating within the EU, as well as any organizations outside of the EU offering goods or services to customers or businesses in the EU. It also applies to any organizations which store or process the data of EU citizens. In practice, most global organizations engaging in commercial activity will need to be GDPR compliant.

EU - ePrivacy Directive

Background: Sometimes referred to the "cookie law" colloquially. In effect since 2002, the ePrivacy Directive was established to put guidelines and expectations in place for electronic privacy, including email marketing and cookie usage.

Aim: to simplify the rules regarding cookies and streamline cookie consent to make it more user-friendly, and to protect data privacy in electronic communications. It complements GDPR.

Applies to: EU member states.

United Kingdom - The Data Protection Act of 2018

Background: Background: the UK's implementation of the General Data Protection Regulation (GDPR), and came into effect on May 25th, 2018.

Aim: to control how a user's personal information is used by organizations, businesses, or the government.

Applies to: Public and private sector organizations that operate in the UK.

US - California's Consumer Privacy Act (CCPA)

Background: the California Consumer Privacy Act of 2018 (CCPA) gives consumers more control over the personal information that businesses collect about them and the CCPA regulations provide guidance on how to implement the law.

Aim: this law secures new privacy rights for California consumers, including.

> The right to know about the personal information a business collects about them and how it is used and shared.
> The right to delete personal information collected from them.
> The right to opt-out of the sale of their personal information.
> The right to non-discrimination for exercising their CCPA rights.

Applies to: for-profit organizations that do business in California and serve residents of the state of California. Certain requirements are contingent on the size of the organization, their annual revenue, and the amount of users from which they collect data.

US - Children's Online Privacy Protection Rule (COPPA)

Background: The Children's Online Privacy Protection Act of 1998 creates certain requirements on websites or online services directed to children under 13 years of age, and on operators of other websites or online services that are aware that they are collecting personal information from a child under 13 years of age.

Aim: to establish which responsibilities a website or online service operator has to protect children's privacy and safety online including restrictions on the marketing of those under 13.

Applies to: US websites and online services are legally required to comply with the COPPA if collecting data online from children under 13 years of age, even if the children the data is collected from reside outside of the US.

Copyright

EU - Directive on Copyright in the Digital Single Market

Background: is a European Union (EU) directive which has been adopted and came into force on 7 June 2019. Member states had until June 7th, 2021 to introduce laws within their own countries to support the Directive.

Aim: to ensure "a well-functioning marketplace for copyright", modernizing EU copyright laws to ensure they are fit for the digital age.

Applies to: adopted by EU Member States.

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US - Digital Millennium Copyright Act (DMCA)

Background: The digital Millennium Copyright Act (DMCA) was signed into law in 1998 and addresses copyright-related issues. It has five titles, of which, Title II, OCILLA, is the most relevant for web compliance.

Aim: it was passed as an anti-piracy statue to prevent pirates from duplicating digital copyrighted works.

Applies to: websites hosted in the US, and protects creative works on the internet and contains rights management in digital works including articles, videos, and photography.
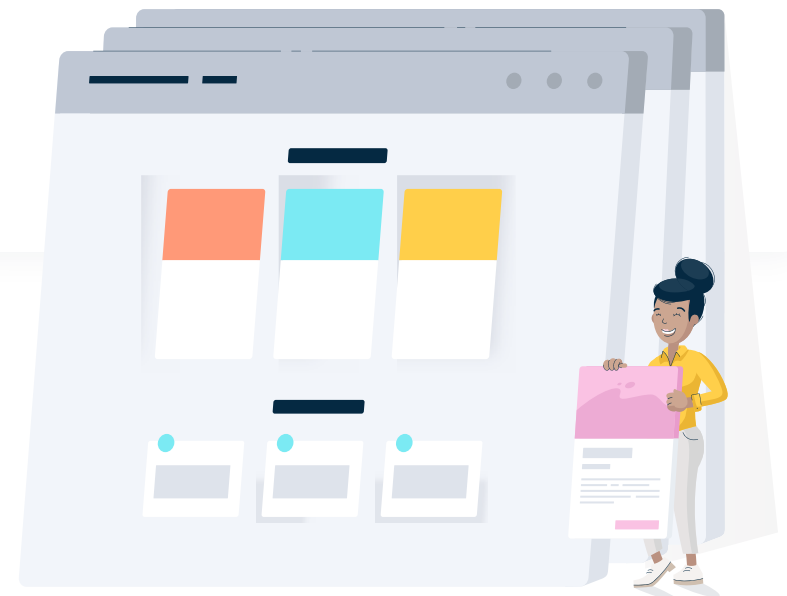
Cybersecurity

EU - EU Cybersecurity Act

Background: The Cybersecurity Act strengthens the EU Agency for cybersecurity (ENISA) and establishes a cybersecurity certification framework for products and services.

Aim: The EU Cybersecurity Act grants a permanent mandate to ENISA, and gives it more resources and new tasks, setting up and maintaining the European cybersecurity certification framework.

Applies to: Companies doing business in the EU will benefit from having to certify their ICT products, processes and services only once and see their certificates recognised across the European Union.

US - Electronic Communications Privacy Act (ECPA)

Background: The ECPA of 1986, as amended, protects wire, oral, and electronic communications while those communications are being made, are in transit, and when they are stored on computers. The Act applies to email, telephone conversations, and data stored electronically.

Part 2:
The State of Website Compliance in 2021

By the numbers

There are over **1.8 billion websites** in existence as of October 2021. Less than 200 million of them are active.

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Source: Internet live stats

Web Accessibility

Despite the fact that over 15% of the world's population has some sort of disability, and that 97.4% of homepages have detectable WCAG 2.0 failures1, the majority of websites are still at least partially inaccessible.

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Source : The WebAIM Million

A Baymard study on the accessibility of the top-grossing US retail websites reveals that 94% of sites don't comply with WCAG 2.1 level AA standards. And yet another report from Internet retailing suggests that the top 50 retail websites don't comply with web accessibility guidelines.

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Source: Baymard accessibility study, Internet retailing

These figures show that sadly, non-accessible websites are surprisingly common.

What's not surprising, however, is the rise in U.S. website accessibility lawsuits, which went up by 64% in the first half of 2021 compared to 2020, with an expected total of about 4000 cases in 2021.

The top categories of organizations facing accessibility lawsuits are:

> E-commerce
> Digital Media
> Finance
> Food Services
> Healthcare
> Accounting

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Source: Usablenet 2021 Mid-Year report

Another survey1 found that of those who regularly utilize screen readers, 60% feel the accessibility of web content has either not changed or become worse over the past year. More than 70% believe this is due to a lack of web accessibility awareness or skills.

Some websites, in their desire to meet accessibility compliance standards, opt for overlays. Unfortunately, these quick fix solutions don't actually address the root problem, and even lead to lawsuits for organizations that believe by implementing these widgets, they have achieved web compliance.

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Source: WebAIM Screen Reader User Survey

Privacy & Consent Management

The impact of Europe's General Data Protection Regulation (GDPR)

Since 2018, organizations around the world have had to adapt their sites to ensure compliance with Europe's GDPR However, some have instead opted to geoblock European audiences rather than comply with these requirements.

Percentage of US sites blocking users with European IP addresses:

> 25% of Top Fortune 500 US retailers (as of January 2020)
> 33% of US news sites Source: BCLP law

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Source: BCLP law

This geoblocking has led to decreased visits resulting in lost revenue. Estimates suggest that nearly 500 million users have been blocked from accessing US sites.

GDPR has also led to debate over whether the legislation can potentially be perceived as discriminatory in nature, which can lead to frustration both from Americans trying to access their favorite sites from abroad, as well as from Europeans trying to access those sites to catch up on US news and events. Some may opt to use a Virtual Private Network (VPN), but it isn't a workaround most organizations wish to see their audience take.

In addition to the decrease in audience, GDPR has also led to litigation, as some European users have sued site owners who have not been able to provide their data upon request. Aside from individual lawsuits, large global tech companies face potential "mass action" lawsuits and fines for violations of the law, and are not exempt from these actions thanks to a ruling by the EU Court of Justice from earlier in 2021.

Despite the polarizing nature of much of the compliance legislation which impacts websites, it is enacted to protect the rights of individuals in what many consider increasingly uncharted territory, in order to ensure our digital rights are guaranteed.

As an organization operating online, it's crucial to ensure that your site isn't the target of a potential lawsuit, which is why adhering to the highest standards will help you steer clear of litigation. As an added benefit, you'll ensure you do right by your audience and elicit trust in your website.

The Impact of US Data Privacy Laws

California currently holds the top rank as the largest economy in the United States (in terms of GDP) and is home to some of the world's most impactful technology companies.

After going into effect on January 1st, 2020, the CCPA has given residents of the state newfound control over their personal information and highlights the importance of data privacy for numerous applications. With the tech giants of the state being among some of the most data collection focused companies in the world, and the state's propensity for attracting companies to its renowned Silicon Valley, the true impact of this act is yet to be fully assessed.

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Source: Bloomberg

What's more, California is neither the first, and likely not the last US state to adopt more stringent data privacy protections.

Vermont is actually the state which can boast the title of first-mover in terms of data privacy. Though California is the state with the most comprehensive legislation regarding data privacy as of October 2021, it was Vermont that went first. The state government enacted the first "data broker" regulation which went into effect on January 1st, 2019.

Nevada has recently (specifically, March 16, 2021) introduced an amendment to their privacy law. This amendment allows consumers in the state of Nevada to opt out of the sale of their data to third parties. This amendment is expected to go into effect in October of 2021.
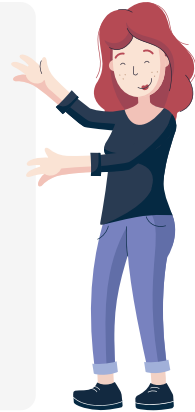
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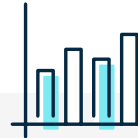Source: National Law Review

Website Security
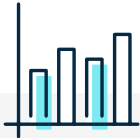
STAT

On average 30,000 new websites are hacked every day

Source: [Forbes](#)

According to an annual [IBM report](#), 2021 had the highest average cost related to data breaches in 17 years, reaching USD 4.24 million in the past year.
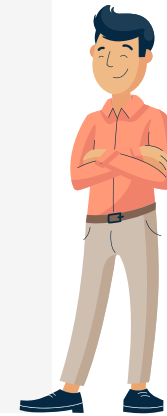
The most common source of a breach? Compromised user credentials, causing 20% of breaches.

STAT

85% of consumers polled have changed their relationship status with a company over a data breach.

Source: [Microsoft & iProspect "In Brands We Trust" 2020 Consumer Privacy Survey](#)

Over the past year, we've seen a rise in the number of ransomware cases. In fact, estimates suggest that ransomware attacks will cost the global economy a staggering $20 billion in total in 2021.

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Source: [Reuters](#)

Considering the current landscape, in 2022, organizations will need to be more proactive in their efforts to prioritize cybersecurity and review the latest stance from regulators in their respective locations. They'll ensure organizations are following the proper advice on how to deal with ransom payment requests.

Cookies and Data Collection

What Is a (Website) Cookie?

Cookies (HTTP cookies) are small text files temporarily stored on a user's device that can be used by websites to make a user's experience more efficient. They are typically used to improve a user's experience on a site by tailoring content based on the user's activity.

There are session cookies which are only used while a visitor navigates a website, and persistent cookies, which ideally include an expiration date at which point they're no longer stored on the system. Some cookies are also required to enable certain pages to function correctly. Others are more focused on marketing and advertising. They fall into two categories: first and third-party cookies.

STAT

By 2025, global data is expected to grow to 175 trillion gigabytes. To give a visual - stored on a blueray disk, the stack of discs would get you to the Moon 23 times!

Source: Networkworld
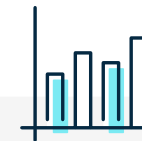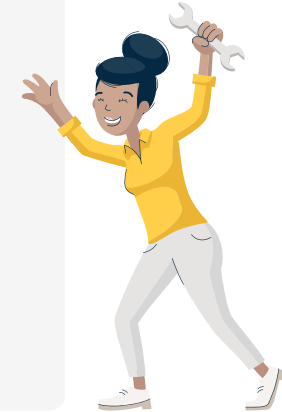
STAT

64% of consumers are concerned about the amount of data companies can collect on them.

Source: Microsoft & iProspect "In Brands We Trust" 2020 Consumer Privacy Survey

1ST PARTY

Domain of the cookie matches the website that it's on

Used for website functionality such as remembering user preferences or knowing what's in a shopping cart

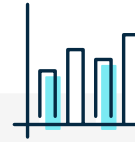Viewed as a primary benefit to the end user

3RD PARTY

Collects data for use by a site other than the website where it's placed

Does not affect website functionality

Helps the marketer make better media buying decisions based on the actions the consumer takes on the website after viewing/clicking on ads elsewhere online

Though concerns about data privacy vary by demographic, overall, consumers are beginning to think about the value of their privacy and who they trust with their information. Organizations that create transparency over their data collection practices and put their audience at ease when visiting their websites are more likely to earn and maintain trust than those that have a less focused approach to data privacy compliance.

A World Without Cookies?

In 2022, Google plans to phase out the third-party cookie on Chrome browsers. This will have an impact on data collection and metrics for your site in the coming years.

As marketers brace themselves for what this change will look like for insights and marketing campaigns on their websites, we're going to see a paradigm shift in everything from business models for sites focused on publishing to technology stacks used. And of course, to legal compliance with regards to data collection.

Terms and Conditions

A Terms of Use & Conditions page establishes the rules for use of your site by visitors. They can include IP rights, numerous clauses, limitation of liability, and other provisions. Though they are binding for users of your site, there are some caveats. In order for your organization to be able to enforce the terms and conditions you establish for your website, you would need to prove that a visitor accepted said terms. In 2022, you'll want these terms to be updated to ensure your site is covered in case of any disputes.

To do so, you'll need to be able to demonstrate that a user saw your terms, was given an opportunity to read them, and by continuing to use your site, has agreed to your terms and conditions. You can achieve this by having your visitors check a box or click a button to accept, then the terms and conditions become binding. We'll cover a few best practices for how to implement these terms in Part 4 of this handbook.

Part 3:
# Website Compliance Best Practices

Examples to inspire your web compliance journey

Web compliance is a commitment that needs to be ingrained into every part of your website and process. It takes time and effort, but it is achievable.

Need proof? Here are a few great examples of sites getting it right.

Clear Accessibility Statement: International Airlines Group (IAG)
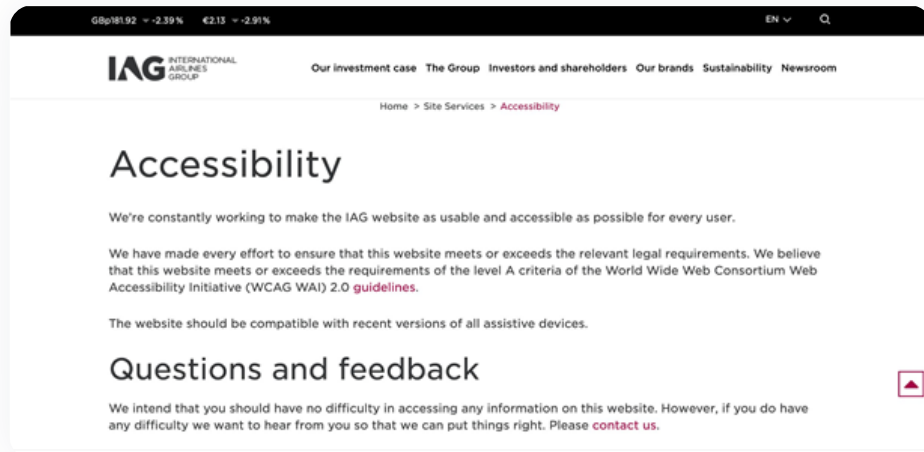
International Airlines Group (IAG) is one of the world's largest airline groups, with a fleet of 533 aircraft. As Monsido customers, they've been able to document their compliance metrics and progress. When they first started out with Monsido, they had a compliance metric around 80%. Since actively using Monsido, they have managed to boost their ADA accessibility and inclusivity up to its current level at 90.17% with a long term goal of achieving 99% per WCAG 2.1 AA guidelines.

Why this works:

Making their Accessibility Statement clear and prominent ensures visitors understand IAG commitment to accessibility, not only on their fleet, but on their digital channels as well, to better highlight their brand values and focus.

"Even though [web] accessibility might not be something that is legally required of you to be compliant with, if you are compliant, it will open up the gates to a much wider audience."

Jasmine de Guzman, Field Marketing Manager at Monsido, on our Kickstart 2022 with Better Web Compliance webinar.

Create an Accessibility Statement for Your Website

Try Our Accessibility Statement Generator

Cookie Banner - Monsido

We're committed to helping websites offer the most optimized experience for their audiences, and to do so, we've launched our own [Consent Manager tool](#). Our banner, seen below, is a great example of how to implement a cookie consent banner on a website that enables users to clearly understand which cookies, if any, they are agreeing to have tracked by using your website.
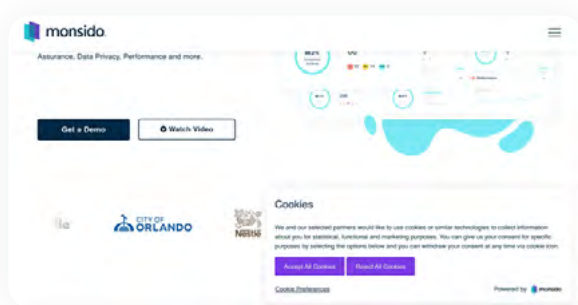
Why this works:

The introduction of the banner is clear and to the point. There are distinct consent options as well as preference settings, making it fairly effortless for a user to make an informed consent decision on our site. Additionally, the banner matches Monsido brand guidelines, helping achieve a consistent image for visitors when they access our site.

Copyright - Los Angeles Zoo

The Greater Los Angeles Zoo is an American Zoo founded in 1963. In the example here, the Zoo ensured their copyright notice is included in their privacy policy, accessed directly from their footer.

Why this works

The need to provide a clear copyright notice as well as guidelines for how to use material that is likely subject to requests for use in editorial and other content is high. Therefore, having a copyright notice up front where it's easy for visitors to review who owns the rights "©" to imagery and other media is well implemented.

Additionally, the site ensures that anyone wishing to utilize any copyrighted material must first seek permission from the copyright holders (which is clearly stated as the Greater Los Angeles Zoo Association).

Part 4:
How To Make Your Website Compliant in 2022

At this point, you may be wondering how to assess whether your website is compliant. There are two aspects of an audit needed to determine your site's status.

The first is to go through a manual auditing process and review your site for compliance issues. To do so, you'll need to review any applicable legislation, a few general checklists in hand (included in this section of the handbook) as well as your internal compliance requirements and standards set forth by your specific industry.

The next part which will optimize your compliance efforts is to invest in software that can scan your site for web compliance issues and flag them to be dealt with. This will still require work on the part of your team to ensure you've resolved any underlying issues. Though software makes the process of achieving web compliance more efficient, it requires ongoing effort to truly reap its full benefits.

Ideally, you'll want to assemble a team to handle the initial project of reviewing your site for each area you want to be fully compliant with. This would likely include your front-end developers, content managers, content writers, designers, marketers, and anyone else who deals with managing or creating content for your website.

The following section includes checklists for the main web compliance areas you'll need to review on your site.

Accessibility

Website accessibility at the surface includes looking at elements such as image descriptions, anchor text, and captions as well as more technical elements like how easy the site can be navigated without the use of a mouse. Practices that improve web accessibility not only help people with disabilities but all visitors to your website, including elderly people or people with slow internet access.

To help you meet the highest standards for creating a website that complies with most web accessibility guidelines, this checklist covers web accessibility compliance according to the WCAG's POUR—Perceivable, Operable, Understandable, Robust—principles.

1 Perceivable

User must be able to perceive the webpage/app in some way, using one or more senses.

Text alternative
(1.1) Success criterion 1.1.1

Time-based media
(1.2) Success criterion 1.2.1 - 1.2.9

Adaptable
(1.3) Success criterion 1.3.1 - 1.3.6

Distinguishable
(1.4) Success criterion 1.4.1 - 1.4.13

2 Operable

User must be able to control and navigate interface elements [buttons, links, etc.].

Keyboard accessible
(2.1) Success criterion 2.1.1 - 2.1.4

Enough time
(2.2) Success criterion 2.2.1 - 2.2.6

Seizures ans physical reactions
(2.3) Success criterion 2.3.1 - 2.3.3

Navigable
(2.4) Success criterion 2.4.1 - 2.4.10

Input modalities
(2.5) Success criterion 2.5.1 - 2.5.5

3 Understandable

The content must understandable to its users.

Redeable
(3.1) Success criterion 1.1.1

Predictble
(3.2) Success criterion 1.2.1 - 1.2.9
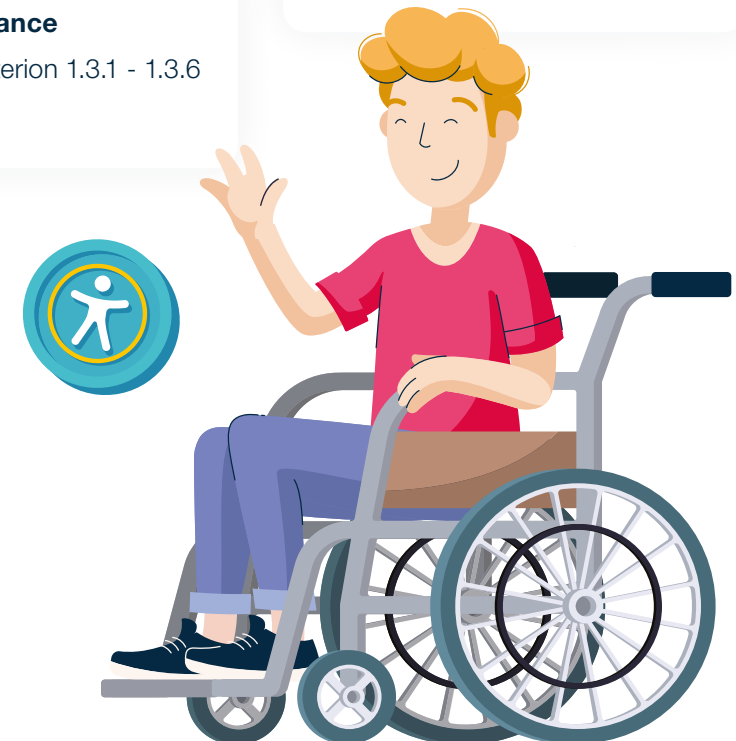
Input assitance
(3.3) Success criterion 1.3.1 - 1.3.6

4 Robust

The contetnt must be developed using well-adopted web standards that will work across browsers, now and in the future.

Compatible
(4.1) Success criterion 4.1.1 - 4.1.3

Checklist - Web Accessibility Compliance

☑ Provide text alternatives to non-text content such as images, videos, podcasts, etc., so that they can be converted into other accessible formats using assistive technologies such as screen readers.

☑ Provide alternatives for any time-based media, such as image slideshows.

☑ Ensure that content created can be displayed in different ways (such as being magnified or displayed on another mobile device, without it losing context or information.

☑ Provide accessible color contrast between images and text against backgrounds.

☑ Provide an option for audio control, such as pause or volume controls.

☑ Ensure that all functionality of your web content can be accessed using just a keyboard.

☑ Include proper headings for each section of a page to enhance readability and navigation.

☑ With content that changes after a period of time (like a slideshow), ensure that users have either enough time to read the content or offer options to control content change (like a pause button on an automatic carousel).

☑ Avoid content with images, animations, or videos that flash more than three times per second as this can induce seizures in some people.

☑ Ensure that your website has a well-designed and intuitive navigation and page structure, with well-defined headings, text sections, links, etc.

☑ Ensure that text is readable and understandable by both your target users and the assistive technology they may use.

☑ Ensure that your web pages appear and operate in a predictable manner, for example where elements like menu bars and colors are consistent across all pages.

☑ Provide clear instructions or labels, suggestions on how to fix mistakes (clear text in microcopy) as well as access to helpful information and a contact form.

☑ Test your site using assistive technologies, such as screen readers, to ensure ease of navigation, and review as new tools become available.

☑ If you have a physical place of business, ensure that your website states whether your facility has accessibility options.

Cookies and Consent Management

As cookies collect personally identifiable information, you'll want to ensure that your cookie notification and consent management is up-to-date with the latest legislation and that you are compliant with data privacy laws.

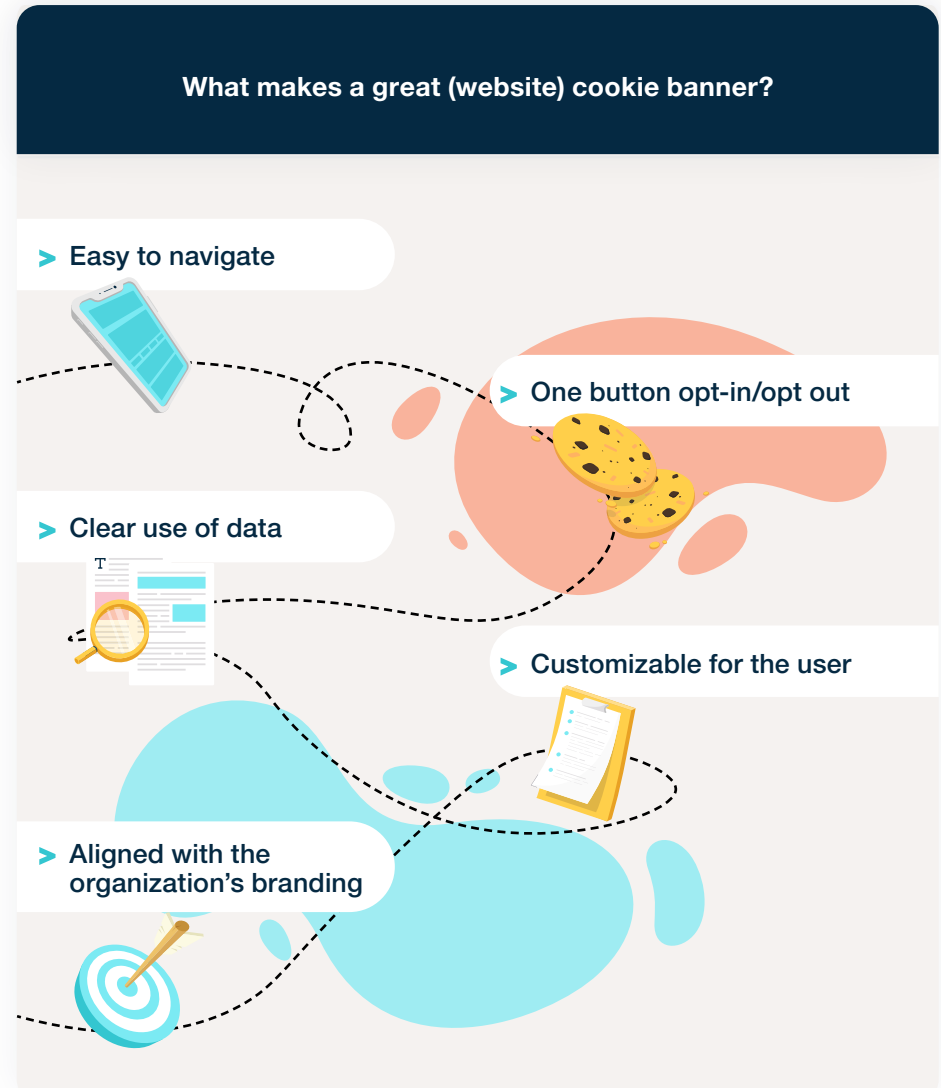Here are just a few of the data points that can be collected from a website visitor:

User specific information:

- Addresses (postal and email)
- Payment details (credit card numbers)
- Login information and passwords
- Location (IP address, geolocalization)
- Browser (Explorer, Chrome, Safari)
- Device (Mobile, Desktop)
- Operating System (Mac, Windows)
- Language settings

User behavior on site:

- Page views
- Shopping cart items
- Referral channel (social media, search engine)
- Cookie settings (once selected)

In order to ensure your website is compliant with any applicable legislation, you'll want to inform your visitors of which data points you collect on your website, as well as who has access to it, and for what purposes.

What makes a great (website) cookie banner?

> Easy to navigate

> One button opt-in/opt out

> Clear use of data

> Customizable for the user

> Aligned with the organization's branding

Most website visitors would, if permitted, opt for an easy, straightforward banner to get to the content they're trying to access. As visitors, having to click through a long list of cookie and consent options can be a nuisance.

Though from a marketing perspective, it's not always as clear cut, since many of the changes in user data collection introduced by the applicable legislation (in part 2 of this handbook), have redefined what metrics to focus on or who can even access a site.

Users are becoming more aware of their data and rights, and in serving savvy digital natives, organizations will need to ensure that they don't create situations where they seem untrustworthy due to less-than-transparent data collection policies and processes.

So, when adjusting your website's cookie settings, you'll want to consult your team, particularly those involved in dealing with customer insights such as marketing and product, to have all teams provide input for which data points are being collected and which category they fall into (functional, essential, statistic, or marketing).

Then, once this feedback has been collected, you'll need to get to work implementing a cookie policy that ensures at the very least, essential functionalities for visitors. And preferably, your site will feature a policy that meets the needs of your organizational goals while not compromising your audience's preferences.

Checklist - Cookies and Consent:

Banner

☑ Does your cookie banner match your website?

☑ Is your cookie banner easy for users to interact with?

☑ Do you allow your visitors to customize their cookie consent options?

Setup

☑ Do you differentiate between necessary, functional, statistical, and advertising cookies?

☑ Does your cookie policy explain which cookies are first and third-party?

☑ Does your policy allow users to opt in and out of tracking?

Policy

☑ Do you explain why you are gathering cookies from your visitors?

☑ Have you made it easy for users to change or withdraw their consent?

Take control of user and cookie consent on your website with Monsido Consent Manager

Learn More

Terms, Conditions, and More

To create a compliant site, there are a few pages which every website should include. These pages cover the basic aspects of your organization, such as who owns the site, what terms are users subject to when accessing the site, how to contact the organization the website belongs to, and anything else you wish to inform users of your website and services.

Terms and Conditions

The Terms of Use & Conditions page should be placed somewhere on your website which is easy for your visitors to access, such as clearly marked in the footer section. These terms act as a binding agreement between you and your users, as long as they have taken an action to accept.

The terms will likely vary according to the type of site you have, but can (and should) include the terms of use of the website and may also include your privacy policy. On your Terms and Conditions page, you can include your User Agreement which covers the terms of use of your product and/or services. Make sure the presentation of your Terms of Service is clearly visible for all visitors and includes:

> A clear contrast for any hyperlinks you may feature in the text
> The latest version of the Terms of Service, with the corresponding date
> Language which indicates that by taking an action, such as clicking accept, the user has agreed to the terms they've been presented on the site.

Privacy Policy

Your privacy policy may be included under your terms and conditions, or you may opt for having it as its own page to make it easy for your visitors to access.

Your privacy policy should include:

> Your cookie statement - what personal data you are collecting from visitors.
> Why your are collecting data
> Data storage and sharing
> Opting out of data collection and how users can revoke their consent
> Security - how are you protecting your users' data from unauthorized access.
> Any additional aspects relating to your users' data.

Disclaimers

> A disclaimer limiting liability in case of information provided or in case of errors. This should include language stating that your organization, the site owner, is not responsible for providing content that is accurate, complete, or suitable for any purpose other than expressly covered.
> If your site allows third parties to post, you'll want to limit liability for statements made by said third parties, so that the site owner is not responsible for offensive statements, and that the site owner does not endorse third party statements. This is of particular concern for sites that allow user-generated content.

Copyright

> All websites should include a notice of copyright, as well as any trademark, if applicable, with the current year.

> You'll also want to ensure your site includes how users can use your copyrighted content, if at all, and who to contact regarding copyright violations or use.

Legal disputes

> Somewhere in your terms, you should state which law governs disputes. You can establish what state or province and nation your website is operating from.

Contact information

> You should include contact information for your organization somewhere on your website as well as in the terms and conditions. This includes your legal business name, address, and any additional contact information.

Frequently Asked Questions

> Though not required for compliance, including an FAQ somewhere on your site can help users gain a better grasp of what they can expect from your product or service, and may also include information pertaining to their preferences and privacy.

Cybersecurity

Another important element to consider on your website is whether you provide a safe experience for visitors, as well as protect your digital presence from hackers. Users expect a secure and private connection between them and your website. Unfortunately, hackers and other agents may try to hinder that security.

Main Reasons Hackers Attack Your Site:

> Access to payment information
> Access to emails and contact details to sell to "marketers"
> Disrupt service
> Hacktivism

Main types of attacks:

> Denial of Service (DoS/DDoS)
> DNS Spoofing
> SQL Injection
> Brute Force
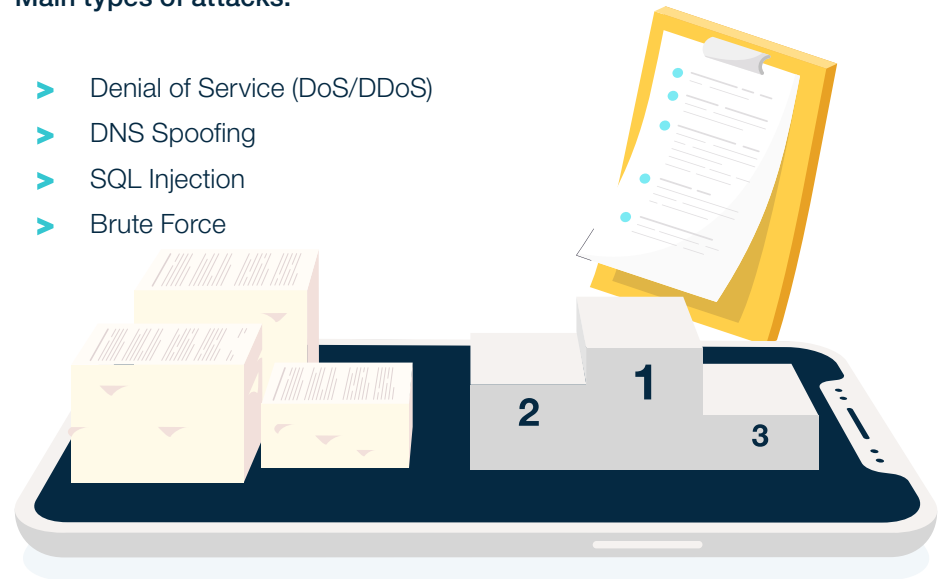
How To Prevent Attacks

Keep your website and your user's data secure:

☑ **Enforce a strong security culture**

☑ Train your team in the basic security protocols (proper password management, accessing suspicious software and emails, etc)

☑ Avoid any software that can expose your site to vulnerabilities

☑ Disable inactive accounts

☑ **Install a firewall**

☑ **Perform penetration tests**

☑ Use a tool or do it through service providers

☑ **Keep an action plan**

☑ Review processes for data security

☑ In case of breach:

☑ Inform users of data breaches in a timely manner

☑ Assure them of the steps taken to remedy the breach

☑ **Add an SSL certificate to your site**

☑ Install a Secure Sockets Layer to encrypt communication to and from a website

☑ **Adopt HTTPS on your website**

☑ In Hypertext Transfer Protocol Secure (HTTPS) the communication protocol is encrypted, guaranteeing that the information exchanged between visitors and your site is private

☑ **Check your activity log**

☑ Regularly review who has admin access to your site, and manage users carefully to ensure only those working on the site can run administrative actions to avoid unauthorized access.

☑ **Backup your site daily**

As an added security measure, consider getting an official certification, such as ISO 27001 so you can make the process easier to define and document.

Now that you've gathered any necessary resources and reviewed the elements you'll need for your compliance efforts, the next step is to begin your compliance journey.

Creating and maintaining clear documentation

An important part of website compliance is documentation, so as part of every audit and process you begin to implement, please remember to document everything. Not only will this help you track your compliance progress, it will make it easy for you to provide documentation if it is ever requested from you.

"Compliance is also about being able to track, monitor, and document the optimizations of your website around these elements as well as being able to review your current and previous website content archives should an issue arise."

Jillian Als, Director of Marketing at Monsido.

Part 5:
Summing it Up

Time to Review!

Recommendations to keep your site compliant

> Appoint someone as lead in documenting and reviewing compliance on your site.
  + Depending on the nature of your organization (industry, sector, size, etc.) you may need to hire a compliance officer or team to ensure ongoing compliance.
> Implement a process where you perform audits at regular intervals to ensure you are meeting compliance standards.
> Once the audit report has been reviewed, assess any areas that need improvement. Consider prioritizing in the following order:
  + Industry standards
  + Data collection
  + Security
  + Web accessibility
  + Brand compliance elements based on your internal guidelines.

We hope this handbook provides you with the basics for kickstarting your web compliance efforts. Web compliance is a journey, not a destination. It isn't something that you can take on in a few days and consider it done, as it requires ongoing review and maintenance. It's a commitment, but it's worth it.

Your website will reap the benefits of being a more optimized resource for your organization and your audience. Ensuring your site is compliant reduces your organization's risk, keeping your brand from negative coverage and helping you stay ahead of the competition.

From today, you can start making strides toward delivering a superior web experience by ensuring your visitors enjoy a compliant website. By ingraining these standards into your website optimization processes, you can rest assured your organization will stay a leader in web compliance.

Need help with web compliance?

Monsido has multiple features available to help your website get and stay compliant. Our tools make the process of web compliance easier to track, document, and navigate, so you save time and resources to focus on serving your audience.

Book a demo with our team of experts and we'll show you how to begin your compliance journey with us.

Book a Demo

About Monsido

Monsido is a leading web governance solution designed to enable organizations to deliver a superior and inclusive user experience across their digital presence and support their journey to ensure communications are open, optimized, and compliant. The Monsido Platform includes a cohesive suite of tools for web accessibility, website quality assurance, brand and content compliance, user consent management, social and web content archiving, and more.

For more information, **visit www.monsido.com.**
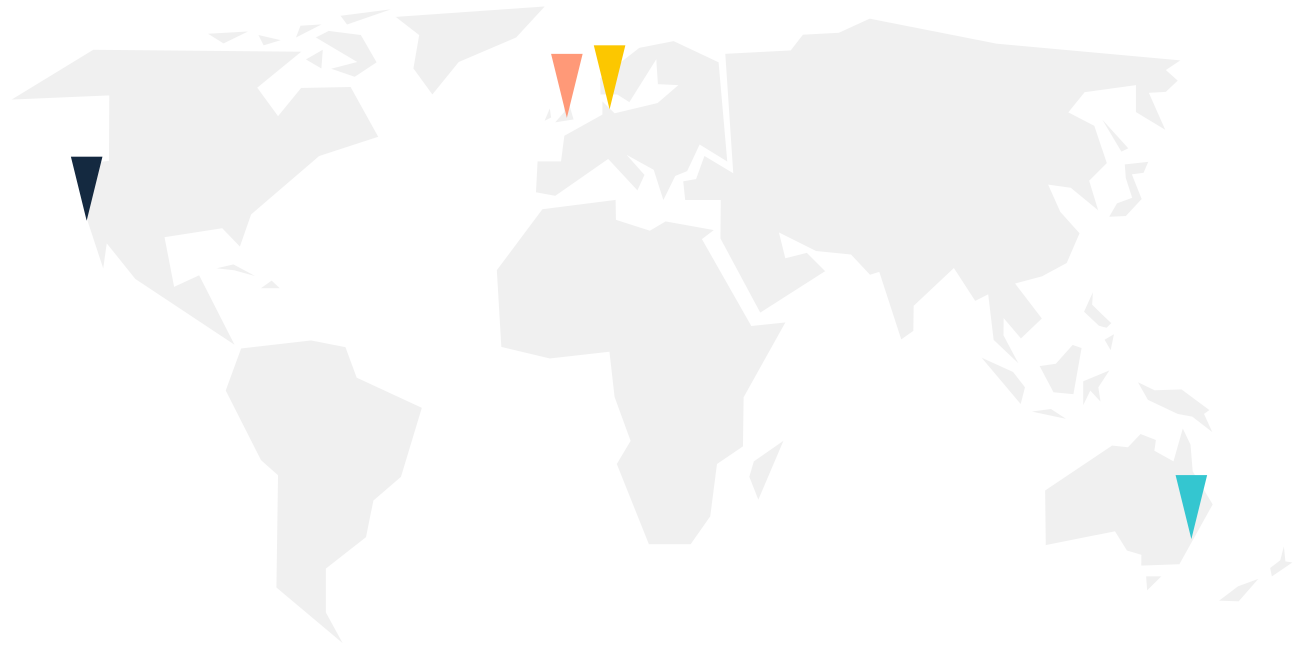
Disclaimer: This handbook is meant as a guide to help you gain an understanding of web compliance—it does not constitute legal advice nor does it contain a comprehensive overview of all applicable laws by industry or region.

The applicability of the laws covered in this handbook may depend on your jurisdiction, type of business, and number of employees. This handbook should not be used as a substitute for competent legal advice from a licensed lawyer in your jurisdiction. We recommend seeking legal counsel to ensure your website complies with any relevant legislation for your organization. Monsido is not liable for any errors, omissions, or changes in law.

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