



# Understanding WCAG, Accessibility and Privacy Online

Online accessibility and privacy are significant issues for any website. These two concepts are also inextricably connected, although the link between them might not seem evident at first glance. This guide covers relevant and noteworthy privacy and accessibility concerns for websites and other online communications.

## The Internet Privacy Wars & Data Collection Online

The so-called privacy wars are currently a hot topic in the tech world. They're a key source of conflict for Google, Microsoft, Apple and other browser developers, as well as companies that rely on the collection of user data, such as Facebook. Internet user data is also extremely valuable to marketers who can target potential customers by tracking past purchases, key interests and behaviors and demographics.

Data collection involves cookies, which are a small amount of text that a site sends to a visitor's browser. Cookies can be helpful for the user because they remember preferences and help them quickly open pages that they frequently visit.

The downside of cookies is that they also share more information about the user than many people realize, including phone numbers and IP addresses. When a site lacks security, that information can make it into the wrong hands, including hackers. Currently, European privacy laws and some state-level legislation in the US require that websites notify users about their privacy policy and offer the option to accept or reject cookies.

Many believe current protections are inadequate, and the battle over data collection online is far from over. Some in the tech industry hope that the World Wide Web Consortium (W3C) can settle the debate, establish standards and offer guidance regarding privacy and data collection. Although the W3C has no official authority, it is a well-respected institution and is already the go-to source for online accessibility best practices.



## Cookies & Accessibility

The [W3C's Web Content Accessibility Guidelines \(WCAG\)](#) state that cookie banners must be accessible for people with visual disabilities. If the notification is not, then collecting data from that user can be a form of [digital trespassing](#).

Unfortunately, not all third-party consent vendors meet WCAG 2.1's accessibility standards. Failing to offer that access can lead to legal consequences in some places, including California, which enacted its own privacy law, the [California Consumer Privacy Act](#). The accessibility piece of the privacy puzzle is often overlooked, but in some cases, failing to comply with WCAG's accessibility standards will result in [hefty fines](#).

## HIPAA, Captions & Confidentiality Concerns

Online privacy is a different type of concern when it comes to sharing medical information. The [Health Insurance Portability and Accountability Act \(HIPAA\)](#) contains strict privacy protections for patients. Not only does HIPAA impact doctor's visits, but when legal proceedings, like a deposition for a plaintiff in a personal injury case, include medical records, the parties must also comply with this law. It can also apply to medical degree programs where students are presented with real case information on patients as part of their lectures or programs.

Additionally, as telehealth is being more widely accepted due to convenience, [more people](#) are now using these services for anything from dermatology to mental health treatment. When a patient is Deaf or hard of hearing, they might need [CART captioning services](#) to communicate with their doctor effectively. While the medical provider must comply with the law, the CART provider also needs to maintain HIPAA compliance to avoid putting the patient's privacy at risk.

In the cases of virtual depositions or medical degree programs, it is critical to use HIPAA-compliant voice transcription services for Zoom or other online platforms. Failing to offer the proper protection in such circumstances is a legal violation. Fortunately, companies like Verbit create transcription and closed captioning services designed for sensitive markets and offer [HIPAA and SOC 2](#) compliance.





## CAPTCHAs & Access Challenges

CAPTCHAs help protect against various cyber attacks or scams by differentiating human users from computers or bots. For instance, adding a CAPTCHA can prevent someone from using bots to order massive amounts of concert tickets to later sell at a premium, stop scammers from creating large numbers of email addresses and block hackers from attempting to get into people's accounts.

While CAPTCHAs are generally accepted as a necessary form of online security, they can create accessibility challenges. Many CAPTCHAs depend on the user's ability to see. There are CAPTCHAs designed for Blind users, but some are difficult to use and have low success rates for those trying to access a web page. One study reported that Blind individuals only managed to complete purportedly accessible audio CAPTCHAs 46% of the time. This situation is unfair for the approximately seven million people in the US with visual disabilities.

The Bureau of Internet Accessibility (BOIA) recommends offering multiple forms of CAPTCHAs to better ensure that everyone can access a site.

## Inadequate Access Means Inadequate Security

When CAPTCHAs and other security challenges impact access for individuals with disabilities, they can put those users at risk and deny them their autonomy. A person who cannot successfully open their bank account online because the security measures do not accommodate them may need to rely on someone else's assistance. This unfortunate situation means that individuals with disabilities will lose independence and must share sensitive information with others.

CAPTCHAs are not the only security measure that can be difficult for people with disabilities. Other protections, including fingerprint or retina scans, exclude some individuals with physical disabilities. Offering equal access will require multiple forms of accommodations online. As technology creates more options for accommodating individuals with disabilities, the expectations for equal access will only become more demanding.



Verbit's captioning, transcription and audio description solutions are helping to improve website accessibility and offer professionals the tools they need to guarantee both equity and privacy. They're designed to protect sensitive information to ensure peace of mind and meet legal guidelines. For more information and to begin using Verbit's solutions for greater accessibility and privacy measures, [contact us](#).