

Proposed Disability Commissioner (Scotland) Bill

Introduction

A proposal for a Bill to establish a Disability Commissioner for Scotland

The consultation runs from 12 May 2022 to 3 August 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

No Response

About you

Please choose whether you are responding as an individual or on behalf of an organisation.
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

No Response

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).

Guide Dogs provides a range of services to help people with sight loss live actively, independently and well.

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).

(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Guide Dogs Scotland

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

Fully supportive

Please explain the reasons for your response.

Guide Dogs believes the proposed Bill would be a positive step towards tackling discrimination against people with sight loss and other disabilities. An independent Commissioner to promote and safeguard the rights of people with disabilities could help to create a more equal Scotland and tackle the barriers to education, employment, health, and wellbeing that many face. As well as helping to improve the lives of people with disabilities, this would make a positive contribution to performance on the Scottish Government's National Indicators and overall progress within the National Performance Framework.

Q2. Which of the following best expresses your view on whether there is a need for a specific, dedicated commissioner focussing solely on people with a disability?

Fully supportive

Please give the reasons for your response

We believe the consultation paper makes a clear case for creating a specific Disability Commissioner, capable of working alongside existing Commissioners. We consider this an excellent opportunity to improve the development, implementation and monitoring of policies and laws to tackle discrimination and reduce inequalities. People with sight loss face a wide range of challenges and barriers which limit their ability to participate in society in ways that others take for granted. This includes many basic aspects of everyday life, such as accessing public spaces and transport, or pursuing education and employment. We would welcome the opportunity to support the future work of a Disability Commissioner.

Q3. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

We believe legislation is required if the proposed Commissioner role is to have the authority and independence to carry out investigations and public bodies to account in a meaningful way.

Scope of the Disability Commissioner Role

Q4. Which of the following best expresses your view of the Disability Commissioner role covering all disabilities; physical, mental, hidden and fluctuating conditions?

Fully supportive

Please give reasons for your response, including how the commissioner could co-ordinate with the work of existing bodies/organisations who support people with these conditions.

It is appropriate that the scope of the role is aligned to equality legislation. We believe that the role should cover people of all ages with disabilities, including children and young people.

Q5. Which of the following best expresses your view of the Disability Commissioner having a role in reviewing laws and policies that might impact on disabled people?

Fully supportive

Please explain the reasons for your response.

This proposal has a clear precedent in the role of the Commissioner for Children and Young People and would undoubtedly serve the Bill's broader aims of promoting and safeguarding the rights of people with disabilities.

Q6. Which of the following best expresses your view of the Disability Commissioner promoting best practice and learning from service providers, key stakeholders and third sector?

Fully supportive

Please explain the reasons for your response, including how you envisage this work being undertaken?

The third sector is responsible for the delivery of many services for people with sight loss and other disabilities in Scotland. Guide Dogs and other charities have a direct channel of contact with service users and develop and promote best practice in response to their feedback. Many organisations in the sector are already very actively engaged with Scottish Government, Parliament, public sector providers and other statutory bodies. This includes having staff teams dedicated to research and external stakeholder engagement. We therefore believe that the proposal to promote best practice and learning will be essential to the success of a Disability Commissioner.

Q7. Which of the following best expresses your view of encouraging involvement of disabled people and DPOs (Disabled People's Organisations) in the work of the Disability Commissioner?

Fully supportive

Please explain the reasons for your response. Please discuss how you think this would work in practise – would this be through focus groups, internships, paid roles etc

Lived experience and the meaningful involvement of people with disabilities should be at the heart of all legislative, policy and practice developments that affect them. As a minimum, this should involve common methods of gathering feedback and insight such as focus groups, surveys, and research interviews.

As noted in the consultation paper, people of working age with a disability are much less likely to be in employment compared to those without a disability. We would welcome positive action to encourage a diverse and representative staff team in the office of Disability Commissioner.

Q8. Who should the Disability Commissioner be allowed to investigate?

Both Scottish Public Bodies and service providers

Please explain the reasons for your response

The role of the Disability Commissioner, including the power to carry out investigations, should be modelled on that of the Children & Young People's Commissioner. This will ensure all investigations are relevant to the Scottish Parliament's legislative competence and do not duplicate or impinge upon other bodies in Scotland with the power to carry out such investigations.

Financial Implications

Q9. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

No Response

Equalities

Q10. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

The proposed Bill would have a positive impact on well-established indicators of inequality that disproportionately affect people with disabilities, including those relating to health, education, employment, and housing.

Sustainability

Q11. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? (If you do not have a view then skip to next question)

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

No Response

General

Q12. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

No Response