

Proposal for a new Disability Commissioner for Scotland - we want your views.

Questions

About you

(Note: Information entered in this “About You” section may be published with your response (unless it is “not for publication”), except where indicated in bold.)

1. Are you responding as:

- an individual – in which case go to Q2A
- on behalf of an organisation? – in which case go to Q2B

2A. Which of the following best describes you?

- Politician (MSP/MP/peer/MEP/Councillor)
- Professional with experience in a relevant subject
- Academic with expertise in a relevant subject Person with lived-in experience of a physical disability
- Person with lived-in experience of other types of disability than physical
- Person without a disability.

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation: I am totally blind and have a hearing loss. Before retiring, I managed a network of disability agencies where we worked together to complement rather than compete.

2B. Please select the category which best describes your organisation:

- Public sector body (Scottish/UK Government or agency, local authority, NDPB)
- Commercial organisation (company, business)
- Representative organisation (trade union, professional association)
- Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)
- Other (e.g. clubs, local groups, groups of individuals, etc.)

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).

3. Please choose one of the following:

- I am content for this response to be published and attributed to me or my organisation
- I would like this response to be published anonymously
- I would like this response to be considered, but not published (“not for publication”)

If you have requested anonymity or asked for your response not to be published, please give a reason. (Note: your reason will not be published.)

4. Please provide your name or the name of your organisation. (Note: The name will not be published if you have asked for the response to be anonymous or “not for publication”.)

Please provide 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.

(Note: We will not publish these contact details.)

Contact details:

5. Data protection declaration

- I confirm that I have read and understood the Privacy Notice to this consultation which explains how my personal data will be used. If you are under 12 and making a submission, we will need to contact you to ask your parent or guardian to confirm to us that they are happy for you to send us your views.
- Please ONLY tick this box if you are under 12 years of age. 26
Your views on the proposal

Note: All answers to the questions in this section may be published (unless your response is “not for publication”).

Aim and approach

1. Which of the following best expresses your view of the proposed Bill?

Please note, this is a compulsory question

- Fully supportive
- Partially supportive
- Neutral (neither agree or disagree) Partially opposed
- Fully opposed
- Do not wish to express a view

Please explain the reasons for your response.

I feel that the Equality Act has weakened the position of disabled people. The emphasis appears to be on ethnicity, gender and gender reassignment. Disabled people face unemployment and low educational attainment. Attitudinal barriers are a major problem with people with sight loss being particularly marginalised.

2. 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
- Partially supportive
- Neutral (neither agree or disagree)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

Under the DRC, people with disabilities were in a much stronger position when it came to discrimination in the workplace and equal opportunities in education. My main experience is sight loss (and I've been one of the lucky ones) where people with sight loss are missing out in education because of the serious lack of trained QTVIs.

3. Do you think legislation is required, or are there other ways in which this Bill's aims could be achieved more effectively?

Please explain the reasons in your response.

We need legislation. People can duck out of other means claiming staff shortages and work pressure.

Scope of the Disability Commissioner Role

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

- Fully supportive
- Partially supportive
- Neutral (neither agree or disagree)
- Partially opposed
- Fully opposed
- Unsure

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.

A commissioner for all disabilities can work only if there is a robust team of staff with specialist knowledge on individual conditions. Sight loss has

many variants and the standard remedies of a long cane or a guide dog are not enough. Non disabled people often don't like someone with a disability being as good (if not better) than they are, particularly in the workplace.

5. 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
- Partially supportive
- Neutral (neither agree or disagree)
- Partially opposed
- Fully opposed
- Unsure

Please explain the reasons for your response.

The commissioner should have a role but must have a strong team of people with lived experience to benefit from their expertise.

6. 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
- Partially supportive
- Neutral (neither agree or disagree)
- Partially opposed
- Fully opposed
- Unsure

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

It is essential that the people from these bodies understand particular disabilities and use the lived experience of disabled people. Too often all communication is with a senior staff member who understands the organisation's admin but has no idea about the people it serves.

7. 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
- Partially supportive

- Neutral (neither agree or disagree)
- Partially opposed
- Fully opposed
- Unsure

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

The expertise of these people is essential. Focus groups can play a part but disabled people need to be evident in the workplace in jobs commensurate with their ability, respected in their community and treated as equals. While I would hesitate to recommend the Disabled Quote of yesteryears, it got people into jobs which is good for them, good for the economy and gets rid of some of the attitudinal problems they experience.

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

- Scottish Public Bodies
- X Service providers (any person providing services for disabled people) Both Scottish Public Bodies and service providers
- The Commissioner should not have power to carry out investigations

Please explain the reasons for your response.

While the commissioner should have overall responsibility, people with expertise should be involved either actively or in an advisory capacity. The commissioner can't know everything and has to be prepared to respect the expertise of people who can fill the gaps.

Financial implications

9. 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?

- a significant increase in costs
- X some increase in costs
- no overall change in costs
- some reduction in costs
- a significant reduction in costs
- skip to next question

Please explain the reasons for your answer, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively. Lack of money is an old chestnut where disability is concerned. Access to Work is one of the biggest offenders. The main responsibility must be with the Scottish Government – good disability provision saves a lot of money for the Health and Social Services.

Equalities

10. 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.

Individual prejudices which come down to attitudinal change.

Sustainability

11. 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?

It comes down to embedding the ideas in our society. Change does not happen overnight but disability has been pushed to the back for too long. The commissioner must not be a 'temporary job'.

General

12. 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)?

It is important to remember that in disability one size doesn't fit all and that in individual disabilities there are considerable variations. People must be respected as individuals. I have been fortunate to have a career which means I am now comfortably retired – others with sight loss have been less fortunate.