

# 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.

an individual

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".)

Person with lived-in experience of other types of disability than physical

**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 an older adult who is both dyslexic and autistic

Please select the category which best describes your organisation

*No Response*

Please choose one of the following:

I would like this response to be published anonymously

**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):**

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).

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.**

As a disabled student I believe we should have the same commissioner as the children and young peoples commissioner role.

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 get lumped together with the other 8 protected characteristics yet disability affects people in a variety of ways, so not having a dedicated person actively looking out for us means our voice can get drowned out among other vocal groups. Having a person or team looking out for only disability issues may mean fewer people's issues fall through the cracks and get lost.

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.

I think legislation is needed. I think it would give the commissioner authority to highlight areas that need looking at, without legislation any authority the commissioner may be given could be diluted and ineffective. The Equality Act 2010 has no teeth it looks like a suggestion only for employers to make reasonable adjustments yet many companies do not. The gov.uk website openly states that an employee can have their employment terminated if there are no adjustments that can be made which makes it too easy for a company to say "we cannot make any adjustments so leave the company". Having a commissioner employees and the general public can turn to to fight in their corner may help give confidence to disabled people to come together and fight for change together.

## 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.**

Working together collaboratively helps to get more things achieved and reduce duplication. Maybe having a small team that liaises with different organisations along the lines of a monthly panel meeting with members of the general public too with the commissioner heading it possibly. Different disabilities may have different priorities so negotiating between them would be key to get the best outcomes for all. What are the top priorities for the different disability areas and where is the common ground to find solutions for lasting positive change.

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.**

It is needed to ensure disability legislation does not fall behind and also ensures that any impacts on disabled people from laws and policies being made are positive ones to our collective benefit and do not penalise us further when life is difficult enough in this society.

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?**

Together we share, learn and grow. We can all learn something from how different organisations work, taking the best from each area so hopefully the whole will be positive and to our benefit. I am unsure how we can do this although as I have stated before maybe panel groups or focus groups may be a partial answer.e

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**

I believe everybody has the right to have their voice heard, individuals and groups of disabled people who have banded together and organisations who are there to support disabled people in whatever way possible. Focus groups, panels meeting monthly to discuss issues/opportunities. The commissioner could have a small team made up of disabled individuals from the general public and organisations to help liaise with other organisations. Maybe the opportunity is there to encourage companies to take on a disabled employee as an internship to show employers how good we are, maybe this would help to change the negative narrative with employers.

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 commissioner should have the freedom to investigate wherever there is an issue to be highlighted otherwise you could end up with an imbalance or a two tier system. Equality is for everyone including us whether that be in the private or public sector.

## 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 overall change in costs

**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.**

I know not the financial implication from this new law. I would imagine that initially, costs may be higher due to the consultation costs, and getting the bill passed and creating a new system for the role of commissioner yet the positive benefit to disabled people who may be able to contribute more to the UK economy, reduce the burden on the benefit system, reduce medical interventions as mental health increases, our GDP increases because more people are employed in roles they enjoy and feel happy in will far outweigh the initial costs.

## 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.

*No Response*

## 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?

I believe this bill would impact on the above areas in a positive way and may even improve our reputation across the globe as we finally start giving disabled people more of a voice and reduce the discrimination faced by some on a daily basis. I fail to see how making our society fairer and more just can impact this society negatively.

## 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 thank you.