

PE1792/C

Equality and Human Rights Commission submission of 2 December 2020

Thank you for your letter of the 1 September concerning the above petition. Please accept our apologies for the delay in responding to you as we have been dealing with a large amount of correspondence during the Covid pandemic.

We have received previous correspondence regarding the accessibility of a new development of Uig Harbour. At that time we provided information on the responsibilities of organisations and public bodies with respect to disability and the public sector equality duties.

We note the submissions of the Scottish Government and Highland Council to the Committee in response to this petition. We understand that it is the intention of Highland Council to produce a formal EQIA on conclusion of the design process, that this will involve disabled access consultations but that these processes have been interrupted by the Covid Pandemic and the issue of disabled access to small boats remains under active consideration. We further note that the proposed works at Uig have been paused, and construction works is not intended to commence before Summer of 2021 and their intention is to conclude consultations, and allow completion of the EQIA.

The obligations and requirements for public bodies and private organisations with respect to disability are set out in the Equality Act 2010 which include provisions for reasonable adjustments and the public sector duties for public bodies. For public bodies the Equality Act sets out the requirements of the public sector equality general duty and for listed Scottish public bodies there are further requirements set out in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (and subsequent amendments in 2015 and 2016) that were passed by the Scottish Parliament. The Commission has published various guidance and information for public authorities in how they should be meeting their obligations; Public Sector Equality Duty in Scotland Where Equality Impact Assessments are carried out in the development of the impact of new or revised policies or practice these are required to be published.

The Commission's state of the nation report, Is Scotland Fairer 2018, noted that not everyone, included disabled people, were able to access services that could enable them to participate in society.

Our current strategic plan priorities reflect the importance of accessible transport. One of its key aims is that public transport supports the economic and social inclusion of disabled people and older people. While we have had to refocus some of work around this due to the Covid-19 pandemic this remains an area of interest and importance to us.

When public transport is accessible and appropriate, it allows people to participate fully in all aspects of life – going to work, accessing education or health services and visiting family and friends. However, efforts in this area, particularly to improve public transport for disabled people, are inconsistent.

It is important that all organisations and public bodies fulfil their obligations of all relevant legislation to ensure that all services are open and accessible and meet the needs of all individuals in society. This is not just about following the letter of the law but its spirit as well.

We hope this has been helpful.