

Annex A Respondent Information Form and Consultation Questionnaire



RESPONDENT INFORMATION FORM

Please Note: that this form **must** be returned with your response to ensure that we handle your response appropriately.

1. Name/Organisation

Organisation Name

Enquire

Title Mr Ms Mrs Miss Dr Please tick as appropriate

Surname

Cavers

Forename

Sally

2. Postal Address

Children in Scotland

Princess House

5 Shandwick Place

Edinburgh

Postcode EH2 4RG

Phone 0131 222 2425

Email

info@childreninscotland.org.uk

3. Permissions

I am responding as...

Individual

Group/Organisation

Please tick as appropriate

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate Yes

Q1. Do you agree that the secondary legislation, which will enable the ASNTS to hear disability claims cases, should be based on the existing ASL rules as amended?

Yes

Q2. If you disagree with Q1, please state your reasons why.

Q3. Do you agree that the secondary legislation should be provided in a separate set of rules to the ASL rules as amended?

Yes

Q4. If you disagree with Q3, please state your reasons why.

Q5. Do you agree that the term 'responsible body' should be used to replace 'the authority'?

Yes

Q6. If you disagree that the term 'responsible body' should replace 'the authority', please state your reasons why and suggest a suitable alternative.

Q7. *Do you agree that the term 'claimant' should be used to replace 'appellant'?*

Yes

Q8. *If you disagree that the term 'claimant' should replace 'appellant', please state your reasons why and suggest a suitable alternative.*

Q9. *Do you agree that the term 'claim' should be used to replace 'reference'?*

Yes

Q10. *If you disagree that the term 'claim' should replace 'reference', please state your reasons why and suggest a suitable alternative.*

Q11. *Do you agree that the term 'person' should be used to replace 'child or young person'?*

No

Q12. *If you disagree that the term 'person' should replace 'child or young person', please state your reasons why and suggest a suitable alternative.*

As the ASNTs will hear cases related to discrimination at school we think the terms child or young person should be retained. Where the

reference concerns a person over 18 we think the term person should be adopted.

Q13. Do you agree that the information set out above is sufficient to enable the claim to be registered with the ASNTS?

Yes

Q14. If you disagree with Q13, please state your reasons why and provide details of any further information that you think should be included.

Q15. Do you agree that the timescales within which a disability claim must be received by the ASNTS should be consistent with those detailed in the Disability Discrimination Act 1995 i.e. before the end of the period of six months beginning when the act complained of was committed?

Yes, as long as this is very clear in all information materials.

Q16. If you disagree with Q15, please state your reasons why and suggest alternative timescales.

Q17. Do you agree that if more than one claim relates to the same person or is essentially about the same issue, the ASNTS should have the power to consolidate the hearings of these claims?

Yes

Q18. If you disagree with Q17, please state your reasons why.

Q19. Do you agree that if references and claims relate to the same person or are essentially about the same issue, the ASNTS should have the power to consolidate the hearings of these references and claims?

Yes

Q20. If you disagree with Q19, please state your reasons why.

Q21. Do you agree that there should be no limit on the number of witnesses for disability claims cases heard by the ASNTS?

Yes

Q22. If you disagree with Q21, please state your reasons why and suggest a limit.

Q 23. Do you agree that where a claimant is a person (and not the person's parent), there should be no occasion where they have to pay any expenses?

Yes

Q24. If you disagree with Q23, please state your reasons why.

Q25. Do you agree that the Equality and Human Rights Commission (EHRC) should be notified when a disability claims case is brought to the ASNTS?

Yes

Q26. If you disagree with Q25, please state your reasons why.

Q27. Do you agree that on the request of a party who is already involved in the disability claims case, the ASNTS will have the discretion to substitute or add a party to the action and regulate further procedure as it thinks fit?

Yes

Q28. If you disagree with Q27, please state your reasons why.

Q29. Do you have any other comments?