

# THE EQUALITY ACT 2010: CONSULTATION ON AUXILIARY AIDS AND SERVICES DUTY



## RESPONDENT INFORMATION FORM

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

### 1. Name/Organisation

Organisation Name

Enquire, Children in Scotland

Title Mr  Ms  Mrs  Miss  Dr  *Please tick as appropriate*

Surname

Cavers

Forename

Sally

### 2. Postal Address

Princes House

5 Shandwick Place

Edinburgh

Postcode EH2 4RG

Phone 0131 222 2424

Email

scavers@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  No

*Q1. Is this duty likely to have any major implications for schools (in any setting) or any related bodies?*

There are likely to be significant implications for independent schools (with regard to pupils who have not been placed there by a local authority). As noted - these schools are not in the same situation as local authority schools as they do not routinely have available to them the local authority's support services. It will be important for independent schools to be fully aware of and prepared for this new duty.

*Q2 (a) Should Regulations be made in respect of the new auxiliary aids duty on schools and local authorities?*

Yes.

*Q2 (b) If your answer to question (a) is yes, please offer comments and suggestions on what the regulations should provide for.*

It is noted that the Equality and Human Rights Commission Scotland will produce a statutory code of practice for schools. However, schools and local authorities are required only to have regard to this code. Regulations would clarify matters for practitioners, families and young people and reduce the risk of inequity in provision across local authorities. Therefore we suggest there should be explicit regulations about 'things which are, or which are not, to be treated as auxiliary aids'.

*Q3 (a) Do you think 1 September 2012 is the right commencement date for the new auxiliary aids duty?*

Yes

*Q3 (b) If you think that the commencement date should be later than September 2012, please state when you think the earliest commencement date should be and the reasons why having a later commencement date would be appropriate.*

