



SELECT COMMITTEE ON THE EQUALITY ACT 2010 AND DISABILITY

CALL FOR EVIDENCE

The Select Committee on the Equality Act 2010 and Disability was set up on 11 June 2015, primarily with the task of conducting post-legislative scrutiny of that Act. Its remit however is narrower: it is “to consider and report on *the impact on people with disabilities* of the Equality Act 2010”. The Committee will therefore be looking at the Act, to see whether it is satisfactorily governing the matters which Parliament intended it to, but only in relation to people with disabilities. In doing so the Committee will be looking at the provisions of the Act but also at its implementation. The Committee has to report by 23 March 2016.

This is a public call for written evidence to be submitted to the Committee. The deadline is 11 September 2015.

This call for evidence will also be available in an Easy Read version on the Committee website at the link below. If you require other adjustments to enable you to respond please contact the Committee team: details also below.

It is helpful if opinions are supported by factual evidence where appropriate.

The Equality Act 2010 was intended to “harmonise discrimination law and strengthen the law to support progress on equality.” It brought together a number of pieces of equality legislation into one Act, including the Disability Discrimination Act 1995. It protects against discrimination on the grounds of the ‘protected characteristics’ of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, and requires reasonable adjustments to avoid putting disabled people at a “substantial” disadvantage.

These provisions apply to both the public and private sectors in respect of employment, education, housing, goods and services, public services and transport. The Act also contains a duty on public authorities to “have due regard” to the need to eliminate unlawful discrimination, advance equality, and foster good relations: ‘the public sector equality duty’.

The Committee would welcome general views on whether the Act has achieved these objects for people with disabilities. It would in particular welcome views on the following issues. **You need not address all these questions.**

General

1. Has the Equality Act 2010 achieved the aim of strengthening and harmonising disability discrimination law? What has been the effect of disability now being one of nine protected characteristics?
2. Are there gaps in the law on disability and equality not covered by the Equality Act 2010 or other legislation?

Reasonable adjustment

3. Are the reasonable adjustment duties known and understood by disabled people, employers, service providers and others who have duties under them? How does this apply in the specific cases of public transport, taxis, education and access to sports grounds?
4. Should the law be more explicit on what constitutes a reasonable adjustment? If so, in what way?

Public Sector Equality Duty

5. How effective has the public sector equality duty been in practice? How do you assess its contribution to the aims of the Equality Act 2010?
6. What has been the impact of the different approaches in England, Wales and Scotland to the specific duties designed to support the general public sector equality duty? Have the specific duties supported implementation for disabled people?

Oversight and enforcement

7. Does the division of responsibilities between Ministers and government departments affect the effective implementation of the Equality Act 2010 in respect of disability?
8. How effective has the Equality and Human Rights Commission been in exercising its regulation and enforcement powers, and what contribution has this made to the impact of the Equality Act 2010 on people with disabilities?
9. Could other regulatory bodies with a role in the effective implementation of the Equality Act 2010, such as inspectorates and ombudsmen, play a more significant part?
10. Are the current enforcement mechanisms available to private individuals (through Employment Tribunals, County Courts and, in Scotland, Sheriff Courts) accessible and effective for people with disabilities, employers and providers of goods, facilities and services?
11. Are there other legislative or non-legislative measures that would improve implementation of the Equality Act 2010 in respect of disability?

Written evidence should be submitted online using the written submission form available at www.parliament.uk/equality-act-committee-submission-form

If you do not have access to a computer you may submit a paper copy to:

Clerk to the Select Committee on the Equality Act 2010 and Disability
Committee Office, House of Lords, London SW1A 0PW
fax 020 7219 4931.

The deadline for written evidence is 11 September 2015.

Short, concise submissions, of no more than six pages, are preferred. A longer submission should include a one-page summary. Paragraphs should be numbered. Submissions should be dated, with a note of the author's name, and of whether the author is acting on an individual or corporate basis. All submissions made through the written submission form will be acknowledged automatically by email.

Personal contact details supplied to the Committee will be removed from submissions before publication but will be retained by the Committee staff for specific purposes relating to the Committee's work, such as seeking additional information.

Submissions become the property of the Committee which will decide whether to accept them as evidence. Evidence may be published by the Committee at any stage. It will normally appear on the Committee's website and will be deposited in the Parliamentary Archives. Once you have received acknowledgement that your submission has been accepted as evidence, you may publicise or publish it yourself, but in doing so you must indicate that it was prepared for the Committee. If you publish your evidence separately, you should be aware that you will be legally responsible for its content.

You should be careful not to comment on individual cases currently before a court of law, or matters in respect of which court proceedings are imminent. If you anticipate such issues arising, you should discuss with the Clerk of the Committee how this might affect your submission.

Certain individuals and organisations may be invited to appear in person before the Committee to give oral evidence. Oral evidence is usually given in public at Westminster and broadcast in audio and online. Persons invited to give oral evidence will be notified separately of the procedure to be followed and the topics likely to be discussed.

Substantive communications to the Committee about the inquiry should be addressed through the Clerk, whether or not they are intended to constitute formal evidence to the Committee.

This is a public call for evidence. Please bring it to the attention of other groups and individuals who may not have received a copy direct.

You can follow the progress of the inquiry at www.parliament.uk/equality-act-committee

25 June 2015