Have your say on our work: consultation on our draft strategic plan

Introduction

We would like to hear your views about how we should tackle important equality and human rights issues.

We have outlined some aims in our [strategic plan](https://www.equalityhumanrights.com/en/publication-download/draft-strategic-plan-2019-2022) (what we will work on from 2019 to 2022). Your views on how we prioritise and tackle these aims are very important to us.

Your input will help us shape our work.

Policymakers, business leaders, third sector organisations, and groups and individuals interested in our work in England, Scotland and Wales are welcome to participate in the survey.

The survey closes on Monday 7 January 2019 at 23:59.

How we handle your information

This survey will remain anonymous unless you choose to leave your contact details at the end of the survey (optional).

SmartSurvey privacy information

The SmartSurvey website may collect personal data. Please refer to [SmartSurvey’s privacy policy](https://www.smartsurvey.co.uk/privacy-policy) for more information.

About you

1. Please tick the statement(s) that best describe(s) you.

* I am an individual
* I am a parliamentarian
* I am an employer
* I am a civil servant
* I am from the voluntary sector X
* I am from a public body
* I am form an inspectorate
* Other (please specify)

1. Which of these nine groups protected under the Equality Act (known as [protected characteristics](https://www.equalityhumanrights.com/en/equality-act/protected-characteristics)) are most important to you? Tick all that apply.  
     
   For example, you may work in one of these areas, or relate personally to issues affecting certain protected characteristics.

* Age X
* Disability X
* Gender reassignment
* Marriage and civil partnership
* Pregnancy and maternity
* Race
* Religion or belief
* Sex
* Sexual orientation

1. If you work in any of the following sectors please tick all that apply.

* Education X
* Health
* Justice and personal security (e.g. hate crime, homicides, sexual violence, domestic abuse, conditions of detention, access to justice)
* Living standards (such as poverty, social care or housing)
* Political and civic participation, access to services, privacy and surveillance, or social and community cohesion
* Work and employment
* I do not work in any of these sectors

1. Please state where you are based, where your organisation operates, where you are a service user or where you represent service users.  
     
   Tick all countries that apply.

* England
* Scotland X
* Wales

Our proposed activities

1. Have you read our [draft strategic plan](https://www.equalityhumanrights.com/en/publication-download/draft-strategic-plan-2019-2022)? (You can still give your views and complete this consultation if you have not read it)

* Yes X
* In part
* No

Help us prioritise our work

1. We have set out three main goals in our [draft strategic plan](https://www.equalityhumanrights.com/en/publication-download/draft-strategic-plan-2019-2022).  
     
   Under each goal there are two or more Priority Aims.  
     
   Please rank the Priority Aims from most important to least important, with 1 being the most important and 9 being the least important (write/type a number next to each statement).

* helping people get justice when they are wronged and get fair trial in the criminal justice system 1
* making sure prejudice is more understood and good relations are promoted, particularly through the education system 6
* making sure new technologies and digital services promote equality and human rights 7
* improving public transport and the built environment so that disabled and older people can take part in things more easily 3
* making sure particularly disadvantaged groups can access essential public services 5
* making sure people in Britain have equal access to the labour market and are treated fairly at work 2
* making sure the social security system is fair and works without discrimination 4
* improving rules relating to detention and conditions in institutions 9
* making sure public bodies that tackle violence against women and girls comply with equality and human rights requirements 8

Please tell us why you answered this way (optional):

It is difficult to prioritise these aims as they are all important, however I have answered based on what I believe is a priority for the people we support on our disabled students’ helpline. The people we support, consistently tell us they have absolutely no access to justice or right of redress after experiencing discrimination at their college or university. They tell us this is due to the lack of legal representatives in Scotland, either willing or able to take on their case.

Our helpline supports disabled students and their families in relation to post-school education issues. We provide information and advice in relation to the Equality Act for disabled learners in post school settings. We support disabled students and their families to access complaint and appeal procedures and provide advice on rights and resolving disputes. We also signpost people to other organisations for more specialist support and advice. Our helpline callers are increasingly reporting it is impossible to access legal advice or representation for disability discrimination in post-school education cases. We previously signposted callers to one solicitor in Scotland who has the expertise and specialism to take these cases on, but he has since advised he cannot take any more referrals as he wants to focus solely on cases related to school pupils. The Law Society of Scotland and the EHRC have been unable to provide details of any solicitors capable of taking such cases on. Additionally, helpline callers report that the EHRC have been unable to take their cases on as part of their strategic litigation work, as the cases have not met the set criteria. Callers also advised they had difficulty accessing representation when the Access to Justice project funding was made available.

We hear about disabled students experiencing discrimination on a daily basis as they struggle to access learning or feel included, having to fight and justify why they require support and adjustments. Culture and attitude are still major barriers to access and inclusion, yet challenging an institution can seem like an insurmountable task for disabled students and their families. College and university complaint and appeal procedures are long and drawn out, and can be overly complex, only serving to cause additional stress to students, and therefore creating further disadvantage. In the meantime, disabled students can be left without the appropriate support they require to fully access education. This can result in the deterioration or flare up of a health condition, poor mental wellbeing, an impact on attendance and performance, and ultimately withdrawal from a course. Subsequently callers have reported they have then either faced poverty or re-entered a poverty cycle. Worryingly, parents are also reporting that their children are experiencing suicidal feelings as a result of the way they have been treated at college or university.

Previously we could signpost students for legal advice and representation, even though court proceedings would be a last resort due to the prohibitive time and costs involved. Now though, with no solicitors in Scotland willing or able to take these cases on, we have to question the point of having equality legislation, if it cannot be used to legally challenge organisations. It is particularly disheartening that disabled students cannot access justice when there are funded systems and processes in place for related sectors. Parents of children with additional support needs in dispute with their school have a right to advocacy, mediation and a tribunal service. People in dispute with their employers can access arbitration and a tribunal service. There is no equivalent for disabled students in dispute with their college or university, their only option is to make a complaint.

The Disability Rights Commission previously funded a Disability Conciliation Service for disabled students in dispute with their institution, however my understanding is that it was not financially viable to continue it under the EHRC. I am currently investigating improving access to advocacy, mediation and arbitration for disabled students as part of our policy work. We co-host an advisory group to improve outcomes for disabled students with the Scottish Funding Council and also work closely with civil servants in relation to student funding.

I have raised the issue about a lack of legal representation for disabled students with the EHRC in Scotland and they have acknowledged they are aware of the gap and suggested I raise it at government level. I have done this as part of our policy work, however it would be invaluable to have the support of the EHRC and for the commission to consider how they can influence change in this area. We would welcome more activities that provide individuals with access to justice, not just through court proceedings, but also through alternative dispute resolution. Additionally, it would be great to see the EHRC take on some college or university discrimination cases to help set a precedent and bring clarity to certain areas of the law, as there seem to be very few, if any cases to currently refer to.

Are there any issues we should work on that are not included? Please tell us what they are and why we should work on them (optional).

1. Which type of activities would help us to achieve each of our Priority Aims? Please tick all activities you feel would be useful to achieve the Priority Aims.

**Priority Aim: helping people get justice when they are wronged and get fair trial in the criminal justice system**

* finding out more about the causes of the problem X
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority Aim: making sure prejudice is more understood and good relations are promoted, particularly through the education system**

* finding out more about the causes of the problem X
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority Aim: making sure new technologies and digital services promote equality and human rights**

* finding out more about the causes of the problem
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law
* helping individuals get justice (for example, people who have experienced discrimination)

**Priority Aim: improving public transport and the built environment so that disabled and older people can take part in things more easily**

* finding out more about the causes of the problem
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman
* helping decision-makers such as employers or public bodies to improve their practice
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority Aim: making sure particularly disadvantaged groups can access essential public services**

* finding out more about the causes of the problem
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority Aim: making sure people in Britain have equal access to the labour market and are treated fairly at work**

* finding out more about the causes of the problem
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination)

**Priority Aim: making sure the social security system is fair and works without discrimination**

* finding out more about the causes of the problem
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority aim: improving rules relating to detention and conditions in institutions**

* finding out more about the causes of the problem X
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law X
* helping individuals get justice (for example, people who have experienced discrimination) X

**Priority aim: making sure public bodies that tackle violence against women and girls comply with equality and human rights requirements**

* finding out more about the causes of the problem X
* influencing changes to the law or public policy X
* influencing organisations that set standards (such as regulators, inspectorates, or ombudsman X
* helping decision-makers such as employers or public bodies to improve their practice X
* challenging decision-makers (such as employers or public bodies) when they break the law
* helping individuals get justice (for example, people who have experienced discrimination)

11. Do you have any ideas for specific activities we could do that would help us to achieve any of the Priority Aims listed above (optional)?

12. We propose to improve access to services for particularly disadvantaged groups.

Which of the following areas is most important to you? Please tick all that apply.

* access to education for Gypsies, Roma and Travellers
* access to health services for Gypsies, Roma and Travellers
* access to appropriate housing for Gypsies, Roma and Travellers
* access to appropriate education for disabled people X
* access to appropriate housing for disabled people X
* access to appropriate health services for asylum seekers and people who have migrated to Britain
* access to appropriate housing for asylum seekers and people who have migrated to Britain
* access to appropriate health services for transgender people
* understanding and addressing the reasons why a disproportionate number of ethnic minorities are detained in the mental health system in England and Wales

Any other feedback and contacting you

13. Do you have any other comments on our draft plan (optional)?

14. Thank you for taking the time to fill out our survey.  
  
Would you like us to contact you (optional)? If so, please tick one or more of the statements below.   
  
Any information you choose to give will be recorded and stored in line with our [privacy policy](https://www.equalityhumanrights.com/en/privacy-notice) (opens in new window). You can withdraw your consent to be contacted at any time by emailing [yourviews@equalityhumanrights.com](mailto:yourviews@equalityhumanrights.com). Please note that leaving your contact details means your survey is no longer anonymous.   
  
We will only be contacting selected participants until 5 March 2019.

* Yes, you can contact me about my responses (your details will only be used for the purposes of this consultation)
* Yes, give me more info about your consultation (your details will only be used for the purposes of this consultation)
* Yes, sign me up to your e-newsletter

Please provide your preferred contact information if you wish to be contacted.

Name:

Email address:

Contact phone number:

Thank you

You have completed this survey!

Thank you for taking the time to answer this survey.