

Proposed Wheelchairs (Short-term access) (Scotland) Bill

Introduction

A proposal for a Bill to ensure the provision of wheelchairs to anyone assessed as needing one on a short-term, as well as on a long-term, basis. The consultation runs from 8 April 2019 to 30 June 2019. All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document. Questions marked with an asterisk (*) require an answer. All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response. Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded. Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here: [Consultation document Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice attached to this consultation which explains how my personal data will be used

About you

Please choose whether you are responding as an individual or on behalf of an organisation. Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Optional: You may wish to explain briefly what expertise or experience you have that is relevant to the subject-matter of the consultation:

Lived experience and work supporting disabled people. I lost a great amount of mobility in October 2016 due to Ehlers Danlos Syndrome and Functional Neurological Disorder. I could barely walk without my leg buckling. This impacted my ability to get to work and to participate in society. I was asked in the street if I was drunk on my way to work at 10am. I would fall into walls. My doctor, physiotherapist and other professionals did not treat this with any sense of urgency. I bought a wheelchair on eBay months later but it was after things had improved. I bought it so I could go on a pre-booked holiday. The stigma around using a wheelchair was clear, and medical "best practice" in the area of Functional Neurological Disorder states that you should not use one for gait problems. However, my mental health and overall wellbeing were impacted by me becoming a recluse. Had I not worked for Inclusion Scotland at the time, I dread to think what would have happened to my employment situation. I could very well have lost my job altogether. Overall I was treated like a joke for asking about mobility aids. I had to buy my own walking stick. I was

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never given an assessment at all. My worry with this survey is that it doesn't focus on the barriers people will inevitably face from medical professionals in accessing the aids. They act like you "want to be disabled" when you actually want to lessen the disability you experience by having independence. You can't focus on your rehab when walking takes up all of your energy and pushes you over your pain limit. They don't care about this though, because the idea that people using wheelchairs are "giving up" is so prevalent.

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your name or the name of your organisation. (Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Michelle Fisher

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

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Aim and Approach

Q1. Which of the following best expresses your view of establishing a duty to provide a wheelchair to anyone who has been assessed as having a short-term need for one (defined as less than 6 months)?

Fully supportive

Please explain the reasons for your response.

I think its needed, but there will be grey areas. I honestly don't think that people will be referred for this service any more readily if the free provision is there. Cost doesn't seem to be the barrier to referral, negative attitudes and fear of disability and independent living are.

Q2. What is your view on setting a target for providing a wheelchair to a person who (a) has been assessed as having a short-term need for one and (b) is otherwise ready to use it?

Unsure

Please explain the reasons for your response

I think there should be a quick response, but the targets listed might not be practical for service providers or for patients.

Q3. Which of the following best expresses your view of where the Bill should place the duty to provide short-term access to wheelchairs to people assessed as needing them?

Unsure

Please explain the reasons for your response.

Whatever is easiest to provide and gives the best service to the public.

Q4. Which of the following best expresses your view of how further provision about wheelchair access (e.g. assessment criteria and eligibility) should be made?

Ministers should have power to make regulations, give directions, and guidance

Please explain the reasons for your response.

I think best practice should be decided at national level so that there is consistency across the country. This should be done in wider consultation with equalities organisations and others.

Q5. Which of the following best expresses your view of requiring Scottish Ministers to report back to the Parliament on the operation of the legislation?

Unsure

Financial Implications

Q6. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
Government and the public sector (including the NHS, local authorities)	X					

Q6. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

Businesses (including makers and suppliers of wheelchairs)						X
The third sector (including charities and voluntary bodies supporting those with mobility issues)				X		
Individuals (including people with mobility issues and their relatives)					X	

Please explain the reasons for your response.

The costs of wheelchairs that properly meet your needs can be very expensive, so new measures would help make sure the person got what they needed with no financial barriers.

Equalities

Q7. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, maternity and pregnancy, marriage and civil partnership, race, religion or belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Please explain the reasons for your response.

It will affect disabled people and older people in a positive way. It will likely also positively impact younger people who may find themselves denied this kind of support due to assumptions about their age. However I don't think it will positively benefit the other groups. I think women will run the risk of being treated like attention seekers if they asked for this. I could barely walk and was treated by professionals as though I was just not trying hard enough at best, or as though I was faking it at worst. Being young and female was a factor I am sure. I mentioned to my GP that a wheelchair for some situations might help and they laughed at me. I was told by my mental health nurse to "meditate" and I wouldn't feel pain anymore. The myth of "hysteria" is alive and well in the NHS.

Q8. In what ways could any negative impact of the Bill on equality be minimised or avoided?

The regulations would need to be based on the social model of disability, and take all life circumstances into account. When I lost my mobility it was easy for professionals to pretend that it did not impact on my daily life. If someone had a car and/or more expendable income their life may be less disrupted by mobility issues than someone who does not have these things.

There are stereotypes in society about disabled people acting up, faking it or using mobility issues to mooch off the government. This stereotype likely intensifies when other characteristics are factored in. This is a problem that the health service, social work and education providers who train professionals have to act on more broadly.

Sustainability

Q9. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response.

If the items were for short term loan then they would be able to be reused.

General

Q10. Do you have any other comments or suggestions on the proposal?

As stated previously, the whole culture around wheelchairs and mobility aids needs to change. Also, the proposal will not meet everyone's needs. Without a sophisticated wheelchair you might not be able to travel independently in some cases. I cannot self propel for very long without exacerbating other issues. I can only use a chair when I have a supporter to help me. Not everyone has this. Also, public places are not very accessible and disability awareness is poor. Having a wheelchair will not always make participation easier. In some ways it can actually be more stressful and if you have some mobility it is a toss up.