

Scottish Council on Deafness

Bus Regulation (Scotland) Bill

Consultation Response

Policy & Research Officer

August 2013

Scottish Council on Deafness (SCoD)

The Scottish Council on Deafness represents organisations working with and on behalf of Deaf Sign Language users, Deafblind, Deafened (Acquired Hearing Loss) and Hard of Hearing people in Scotland; and individuals who have an interest in deaf issues or are deaf themselves.

For more information on the specific needs of Deafened people or those with acquired hearing loss, contact Hearing LINK Scotland on 0131 447 9420.

For more information on the specific needs of Deafblind people, contact Deafblind Scotland on 0141 777 6111.

For more information on the specific needs of deaf people with complex needs, contact Hayfield Support Services with Deaf People on 0141 429 0335 or Sense Scotland on 0141 429 0294.

SCoD's Response

1. Do you support the general aim of the proposed Bill? Please indicate "yes/no/undecided" and explain the reasons for your response.

SCoD agrees with the general principles of the Bill, but they do not go far enough. Why? If the Bill will give the Traffic Commissioner increased powers, then these should include the power to fine bus companies whose buses are not fully accessible. Accessibility is mentioned in the consultation document, but appears to be limited to service provision, handrails and RealTime information at bus stops. While acknowledging that these things are important, accessibility for deaf people includes functioning rolling script on all buses and drivers who are deaf aware and have the necessary communication skills to interact and engage deaf passengers. These are things that should be part of any tender for bus services – companies must be able to show that they fully comply with the Equality Act 2010 and make sufficient "reasonable adjustment" for all disabled passengers.

As Glasgow is hosting the Commonwealth Games next year – 2014, these “reasonable adjustments” can also benefit visitors to Scotland and to the Games – having drivers who can communicate with people who might not know where they are going and with buses that show where they are actually placed at any given time.

**2. What would be the main practical advantages of the legislation proposed?
What would be the disadvantages?**

No comment.

3. In what ways do you envisage reregulation being used to improve bus services?

Reregulation, if each transport authority is fully committed to accessibility for all passengers, could ensure that every bus service in Scotland is fully accessible for deaf people and other disabled passengers within a relatively short space of time by writing clauses in tender/franchise documents that state that all drivers, inspectors and customer service personnel receive accredited disability awareness, deaf awareness and communication skills training as part of their induction into the company as well as on an annual basis as part of their CPD. And there should also be a clause that states that an increasing percentage of all buses on public service routes will have fully functioning rolling script as well as spoken script and when new buses are ordered, this will have to be included.

4. How can community transport be better utilised to serve local communities and particularly low passenger volume routes?

No comment

5. Do you agree that the Traffic Commissioner should be able to impose greater financial penalties on operators who a) fail to meet the terms of the franchise or b) walk away from the franchise altogether?

Yes. But contract/franchise responsibilities must include accessible transport as well as routes. The Traffic Commissioner should have the power to inspect the buses to ensure that they are fully accessible and the “reasonable adjustments” are made and fully operational. There is no point in having rolling script installed in buses and not ensuring that it works at all times and that it is accurate. Drivers need training as part of their induction but also on an annual basis so that they keep their skills up to date. The Traffic Commissioner should have the powers to spot check these and to impose fines if they are not in place.

6. What is your assessment of the likely financial implications of the proposed Bill to you or your organisation? What other significant financial implications are likely to arise?

None. If buses have to be fully accessible with drivers who can communicate properly, there will be a cost to bus companies. But a financial benefit would be increased passenger numbers as people get to know that they will be treated in a friendly manner and will be on buses that show where they are in real time – if the journey is pleasant, people are more likely to carry on using the service.

7. Is the proposed Bill likely to have any substantial positive or negative implications for equality? If it is likely to have a substantial negative implication, how might this be minimised or avoided?

The proposed Bill could have a substantial negative implication for equality for deaf people if the only accessibility issues to be addressed are those of the older population and people with who need handrails and RealTime information at bus stops. Because RealTime information is verbal, it is of no use to Deaf BSL users, Deafblind people and Deafened people who require accurate rolling script at bus stops and on buses, as well as drivers and inspectors who are deaf aware and

have the necessary communication skills to be able to treat deaf passengers properly.

Some things deaf people have said about the bus services in their home area:

“I used to try to lipread with people on the bus and tell them where I want to go. It's very frustrating. They then get a piece of paper out and it all gets complicated. It's really frustrating. I hate having to try to communicate like this. It's why I need a pass - just get on and show the pass.”

“In the Borders, the bus service runs once an hour from where I live to the General Hospital. But where my friend lives in Peebles, the bus runs half hourly to Galashiels. You then have to get off there and wait for another bus to take you to the hospital. Why is there not a bus which goes to the hospital directly? And the last bus from the hospital is about 4pm. How can you go to evening visiting?”

“In Fife if you try to use your bus pass they talk to you and ask where you are going - what street - and in Edinburgh they just let you jump on and off.”

“I use the car now, but when the drivers used to ask me where I was going and the drivers never understood me and there was a big queue behind me and he would say I had pronounced it wrong. You would be so embarrassed. Then people would look at you because you had held everyone up, and you were mortified. If Deaf people have a pass, the driver should know not to ask them. Perth College have BSL classes, the drivers should take those.”

“My mother who has lost her hearing. She gets confused and lost. She finds bus drivers difficult to cope with. She can't hear them. They shout at her. She finds them aggressive. She doesn't want to go out without me because of this. She is losing her independence.”

8. Do you have any other comment or suggestion that is relevant to the need for or detail of this Bill?

The only other comment we have is simply to reiterate all of what has been said above. This is the ideal opportunity to make sure that the Equality Act 2010 is built in to all tenders/contracts/franchises for bus services that serve the public. The reasonable adjustment we are asking for deaf people in Scotland would also benefit visitors and tourists coming to Scotland.

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Permission to publish: I am responding on behalf of the organisation – Scottish Council on Deafness and give permission to publish the full response. If you have any questions about our response, please do not hesitate to contact me.