



Royal National Institute of the Blind (RNIB)

Draft Disability Discrimination Bill

Memorandum to the Joint Committee on the Draft Disability Discrimination Bill

Contents

1. Executive Summary
2. Introduction
3. Transport
4. Discrimination by Public Authorities
5. Private Clubs
6. Discrimination in relation to the letting of premises
7. Duties of Public Authorities
8. Definition of Disability
9. Harmonisation of triggers across the draft Bill and the DDA.
10. The hearing of Part 3 cases in Employment Tribunals
11. Power of Employment Tribunals to order Re-instatement or Re-engagement.
12. Disability leave

1. Executive Summary

1.1 RNIB welcomes the publication of the draft Disability Discrimination Bill. The measures in the draft Bill are vital for blind and partially sighted people in securing;

- greater access to transport services
- equality in relation to public services
- access to private clubs
- a right to greater provision in relation to the letting of premises

We also welcome the inclusion of people with MS, HIV and cancer as being disabled under the DDA.

1.2 We do though have concerns in relation to provisions that need improving and others that have not been included at all.

1.3 Provisions that need improving:

- **Transport:** Bringing the end date for rail vehicle accessibility forward to 2017 if possible and ensuring reviews of aviation and shipping are used to ensure greater accessibility for disabled travellers. Also, improving provision of audio-visual information on transport vehicles through amending part 5 regulations.
- **Functions of Public Authorities:** The duty is not sufficiently anticipatory to ensure access is improved, and the reasonable opinion test remains in place when it is not appropriate for public authorities.
- **Private clubs:** Clarification is required on why the trigger for reasonable adjustments on the face of the draft Bill is not to be used.
- **Premises:** Landlords may still be able to withhold consent unreasonably to a blind or partially sighted person wishing to make physical changes to premises. We have concerns that the Landlord and Tenant Act 1927 will not prove effective in ending discrimination in this area.
- **Examining bodies and standard setting agencies:** All such bodies should be covered under the DDA (some are private organisations and therefore will not be affected by the public sector duty).
- **Triggers:** Triggers for the level of disadvantage a blind or partially sighted person must experience before a reasonable adjustment is required should be harmonised across the DDA to that used in

education and employment (substantial disadvantage) to avoid further confusion resulting from different triggers being used across the Act.

1.4 Not included:

- Goods and services cases should be transferred from the County or Sheriff Courts to be heard in employment tribunals to improve access to redress for blind, partially sighted and other disabled people.
- Employment tribunals should have powers to order the reinstatement or re-engagement of a disabled person who wins their discrimination case.
- Employment rights should be extended to provide disability leave, where people who have existing or new impairments can take time away from work for rehabilitation and retraining allowing them to remain in work. This is particularly important for people who experience new or ongoing sight loss while at work.

2. Introduction

2.1 RNIB is the leading charity offering information, support and advice to the two million people in the UK with sight problems. Our pioneering work helps anyone with a sight problem – not just with braille, Talking Books and computer training, but with imaginative and practical solutions to everyday challenges. We fight for equal rights for people with sight problems and fund pioneering research into preventing and treating eye disease.

2.2 RNIB welcomes the publication of the draft Disability Discrimination Bill, which contains many necessary proposals that are vital to securing the rights of blind, partially sighted and other disabled people across premises, transport and access to private clubs. We welcome the inclusion of some measures recommended by the Disability Rights Task Force which the government pledged to legislate for in their 1997 and 2001 manifestos.

2.3 The new rights the draft Bill contains would challenge the discrimination that blind and partially sighted people face when trying to lease premises, use transport services, join or use private clubs and access the services of public authorities. However, we have concerns that some of the provisions in the draft Bill are not sufficient and in this submission to the Joint Committee outline the main concerns which we believe need to be

addressed in order to challenge the discrimination that the 2 million people with a sight problem in the UK continue to face.

2.4 RNIB, as a member of the Disability Charities Consortium (DCC), has also contributed to the Consortium's memorandum to the Joint Committee and fully supports its recommendations. We are therefore not commenting in our memorandum on some issues, such as definition of disability in relation to mental health, as the DCC response has covered these issues in full.

3. Transport

3.1 We welcome the draft Bill's proposals to extend the DDA to cover discrimination in relation to use of a means of transport. This will mean that important rights not to be treated less favourably, to have reasonable adjustments made to policies, practices and procedures and to have auxiliary aids and services provided where they enable or facilitate access, could all be applied to individual transport modes through use of the regulatory powers in the draft bill. This would be of great benefit to blind and partially sighted people travelling with assistance dogs, or who need help from transport staff in order to access a means of transport and to assistance in reaching their destination safely.

3.2 The use of regulations

We are concerned that the impact of the transport provisions will depend on the contents of the regulations and when they are introduced. We would urge the government to bring in the regulations as soon as possible.

3.3 Prioritising audio-visual information in transport vehicles

Trains brought into service post 1999 have to have audio-visual information for passengers with sensory impairments. However, the end date for inaccessible rail vehicles to be brought out of service and the requirements for train refurbishment will be central in increasing the accessibility of pre 1999 rolling stock in terms of audio visual information. Buses do not have to feature systems to provide accessible information, such as where the bus is stopping next or provide information in case of diversions and delays, even though this is when disabled people most need such information. We believe this lack of progress on accessible information onboard public transport vehicles is unacceptable and would like Part 5

regulations amended to prioritise accessible audio-visual information in refurbishment programmes for trains and for buses to also be included.

3.4 End date for accessibility of passenger rail vehicles.

When the Bill proper is introduced into Parliament it will contain an end date by which all passenger rail vehicles will have to comply with rail accessibility regulations, including trains brought into service pre January 1999 that do not have to comply with Rail Passenger Accessibility Regulations (1998). In the end date consultation the government expressed its preference for 2025 as the date by which all passenger rail vehicles must be accessible.

3.5 RNIB regards this as an unacceptable delay and asks the Joint Committee to establish why 2020, which allows for half life refurbishment for trains introduced into service in the next few years, is not acceptable to the government.

3.6 2017 would be in line with the PSVAR for buses and would provide disabled people with freedom to move across the country, having the full choice of transport modes. Whilst recognising the additional costs that will be incurred by the rail operators as a consequence of this earlier compliance, the additional revenue generated as a result of the increased volume in passengers using the service will, to some degree, offset such costs. Although this was cited as a benefit that had been experienced by bus companies complying with similar legislation, it is not costed in the RIA accompanying the draft Bill. 2017 is the end date we asked for in our response to the consultation.

3.7 Aviation and Shipping

Discrimination against disabled people is taking place on these modes of transport and there is no redress available under the DDA. The government intends to defer lifting their exemptions from the DDA until the completion of the reviews in 2004 and 2005. We are concerned that disabled people should be consulted on the remit of the reviews and that government gives an indication of when they will respond to recommendations. Discriminatory policies that affect blind and partially sighted people still exist, such as Brittany Ferries' ban on people with assistance dogs travelling as foot passengers (although a trial with assistance dogs has been announced to begin in March 2004).

4. Discrimination by Public Authorities

4.1 RNIB welcomes the clarification that including the functions of public authorities within the DDA would give to cases that involve bodies whose status as a service provider is not clear in law. This applies to authorities such as the Highways and Benefits Agencies.

4.2 However, we have concerns about the nature of the duties owed to disabled people by public authorities.

4.3 Duty to make adjustments

The draft Bill states that discrimination will have taken place when a public authority fails to make adjustments to the performance of a function that causes a very much less favourable outcome for a disabled person when it would have been reasonable for it to carry out the function in other ways to prevent the function having that effect.

4.4 An anticipatory duty?

The wording does not place public authorities under a sufficiently anticipatory duty. The draft Bill words the duty in such a way that it focuses on the effects on the individual in each case. This differs in approach from the anticipatory duty in Part 3, which is to all disabled persons. This duty has raised awareness of the DDA amongst service providers who have to assess disabled people's access needs before they use their services. The draft bill does not appear to place a similar duty on public authorities towards disabled persons and therefore we anticipate that its effects in widening access would be significantly lesser than that achieved under Part 3. In addition, the positive duty on public authorities to promote equality and tackle discrimination demands that the duty to make reasonable adjustments has an anticipatory element and it is disappointing that the functions of public authorities have not been dealt with in the same way.

4.5 Reasonable opinion test

We also have concerns that the reasonable opinion test remains as part of justification for failure to make a reasonable adjustment when the test itself is not appropriate for a public authority. When the DDA came into force the reasonable opinion test existed to allow for smaller service providers who might have genuine beliefs that the treatment was necessary for reasons related to health and safety or the costs of equal treatment. However, a

public authority should have policies and training in place for staff that make a reasonable opinion test unnecessary because expertise should exist as to the duties the public authority has and exactly what they can be required to do. In addition, as a public authority, best practice should be expected in relation to accessibility of public functions for disabled people, again showing the inappropriate nature of the test. There is, within the list of justifications, a general Human Rights Act based justification (proportionate means of achieving a legitimate aim) which is purely objective: we would wish to see this approach extended to the other justifications featured. We are also concerned that regulatory powers exist to add to the list of justifications.

4.6 We would also point out that there is no rationale for allowing a failure to make a reasonable adjustment; either an adjustment is reasonable or it is not. If it is reasonable in all the circumstances of the case then it should be made. Failure to make a reasonable adjustment in relation to employment will not be justifiable after October 2004 and we would like this approach to be extended to Part 3.

5. Private Clubs

5.1 We welcome the possible extension of part 3 of the DDA to private clubs with over 25 members. However, we have concerns about the level of disadvantage which blind and partially sighted people will have to experience before a private club is required to make a reasonable adjustment for them.

5.2 Trigger in relation to private clubs

The duty to make reasonable adjustments is not specified, but will be introduced through regulations. The draft Bill offers the framework for the regulations. Amongst other duties it states, in particular:

5 (1) (new 21G (1)(a))

“a duty to take steps for a purpose relating to a policy, practice or procedure of the association, or a physical feature, which adversely affects disabled persons who are, or might become, members or associates of the association”.

5.3 This trigger is significantly more generous than other triggers used in Part 3 of the DDA and the draft Bill, which are; ‘impossible or unreasonably difficult’ (goods and services) and ‘very much less favourable’ (functions of public authorities).

5.4 However, the explanatory notes qualify the Government’s intentions stating that:

“52. [...] It is not expected that the duties to be imposed by regulations made under new section 21G will go further than those which providers of goods, services or facilities are under by reason of section 21 DDA.”

5.5 This is disappointing and confusing given the statement on the face of the draft Bill. This is an area where clarification of the Government’s intentions in relation to use of regulatory powers would be welcome at an early stage. We hope that points raised in section 9 will influence how the regulatory power is used, considering that this high trigger may not ensure vital rights for blind and partially sighted people, such as the right to independently access written information in relation to (in this case) membership or other benefits.

We are also concerned that guests are not covered by the provisions on the face of the bill, but rather that regulations may extend coverage to them. We see no reason for guests not to be covered, and this is of concern to any blind or partially sighted person who would not be entitled to any adjustments relating to a policy, practice or procedure of the association or a physical feature of the premises that places them at a disadvantage.

6. Discrimination in relation to the letting of premises

6.1 We welcome the inclusion of policies, practices and procedures and the provision of auxiliary aids and services in relation to the letting, management or disposal of premises being brought within part 3 DDA.

6.2 As the explanatory notes accompanying the draft bill make clear this would have welcome benefits for blind and partially sighted people, such as;

- A landlord or letting agent being required to read out a print tenancy agreement to a blind person, or provide it in a format accessible to them (auxiliary aid).
- A policy that did not allow assistance dogs in premises would have to be changed or waived in the case of a assistance dog user who leases premises.

6.3 However, we have concerns about the draft Bill's failure to make provision for the Disability Rights Taskforce's recommendation that landlords not be allowed to unreasonably withhold consent to disabled people wishing to make changes to the physical features of premises to facilitate their own access and enjoyment of the premises.

6.4 Where a landlord has tenants who are employers, service providers or educational establishments, she is not allowed to unreasonably withhold consent to the making of alterations to physical features for the benefit of disabled people. We see no reason why disabled tenants should be the only group who are subject to unreasonable refusal by landlords when physical changes to premises are so important in facilitating accessibility and therefore the ability of disabled people to enjoy premises. The ability to make changes is vital in many ways for blind and partially sighted people;

- Improving colour contrast in relation to walls, floors and doors
- Tactile marking for lifts, floor numbers and other information
- Nosings and/or improved contrast for stairs
- Improved lighting

6.5 Landlord and Tenant Act, 1927

The government believes that the 1927 Act already covers the issue of unreasonable withholding of consent by a landlord. In the case of a contract prohibiting alterations, the draft Bill covers policies practices and procedures that make it impossible or unreasonably difficult for a disabled person to enjoy the premises, meaning that a term of a lease that prohibits alterations by a tenant would have to be changed or waived.

6.6 However, we have concerns that;

- no cases have been taken by disabled tenants under the LTA
- the DRC has no powers to issue Codes of Practice or assist disabled people in taking cases under it

- the Act does not apply to Scotland
- it does not cover changes to the outside or approach to premises

6.7 We are concerned that what is deemed 'reasonable' under the LTA will not be the same as the DDA and that having fundamental rights in Land Law and not civil rights legislation is not a consistent or useful way to proceed.

7. Duties of public authorities

7.1 We welcome the proposed duty on public authorities to promote disability equality and to eliminate discrimination. This will bring huge benefits to disabled people as public authorities have to build disability equality into their functions, rather than individuals having to take cases after discrimination has taken place.

7.2 Our main concern in relation to the draft Bill's provisions is that a duty to promote good relations between disabled and non-disabled people is not included. It would be disappointing if public authorities interpreted this omission as meaning that disabled people do not experience equivalent issues that led to the inclusion of such a duty for race.

8. Definition of disability

We fully support the Disability Charities Consortium's recommendations.

9. Harmonisation of triggers across the draft Bill and the DDA.

9.1 The current Disability Discrimination Act 1995 puts the point at which someone has to make a reasonable adjustment ('trigger') at different levels across the law. The draft Disability Discrimination Bill adds a few more. We believe that the use of different triggers is confusing, and the law would benefit from a clear and consistent approach across the DDA.

9.2 Trigger in relation to private clubs

We welcome the extension of Part 3 DDA to cover private clubs with more than 25 members. The duty to make reasonable adjustments is not specified, but will be introduced through regulations. See section 5.2 for discussion of this.

9.3 Trigger in relation to Part 3 DDA

Currently under Part 3 of the DDA when taking a claim to court, a disabled person has to show that the failure to make a reasonable adjustment made it impossible or unreasonably difficult for them to access the service. This is a very high threshold, and has resulted in cases where lower levels of service were justified because it was not 'impossible or unreasonably difficult' for them to access the service, just reasonably difficult.

9.4 In the case of *Appleby v DWP*, Mr. Appleby, who is deaf, went to a Benefits Agency office to get a national insurance number. A visual display screen, which would indicate when his appointment number had been reached, was not working. He had to rely on other members of the public to advise him when his number had been called. In respect of this issue, the district judge stated:

"At no stage in his evidence before me or in his statement of case or witness statement do I find that he experienced 'unreasonable difficulty' in applying the practice as required by the defendants to ascertain when it was his turn. Indeed with commendable imagination and improvisation he enlisted without apparent difficulty the help of two members of the public, who, it would appear were more than willing to assist, and he was thus able to ascertain when it was his turn."

9.5 The high threshold means that a right to independently access information and services is not guaranteed in cases such as this. Following this approach, if, for example, a service provider sends a blind person correspondence in a standard print format that they cannot read, it would be possible for a court to decide that, if the person had a relative or friend who could read the letter to them, it is not impossible or unreasonably difficult for the person to access the letter.

9.6 Trigger in relation to functions of public authorities

In addition, the draft Bill proposes that functions of public authorities are subject to reasonable adjustments only when the outcome of the function is

‘very much less favourable’ for a disabled person. This trigger is at the same level as, if not higher than, ‘impossible and unreasonably difficult’ and will present the same problems.

9.7 One trigger across all parts of the DDA: ‘substantial disadvantage’
Triggers for the duty to make adjustments need to be reviewed as they vary across the DDA. The trigger for reasonable adjustments in education and employment, ‘substantial disadvantage’, is lower than the trigger for goods and services, which is ‘impossible or unreasonably difficult’.

9.8 Within goods and services the trigger for reasonable adjustments to policies, practices, procedures and physical features is ‘impossible or unreasonably difficult’; but auxiliary aids and services have a trigger that states reasonable adjustments are needed to ‘enable or facilitate’ access, which is lower. The trigger for auxiliary aids and services is lower despite the fact that a claim can only succeed where the failure to make an adjustment renders it impossible or unreasonably difficult for the disabled person to use the service.

9.9 The draft Bill is not clear about the future trigger for private clubs: ‘adversely affects’ OR a higher trigger that will be brought in via regulations (as per explanatory notes).

9.10 The DRC’s Legislative Review proposed that a new trigger of ‘substantial disadvantage’ be set as the point at which a disabled person is entitled to a reasonable adjustment in relation to goods, facilities, services and premises.

9.11 The ‘substantial disadvantage’ trigger has received widespread support as a realistic and workable solution to simplify the current triggers and stop counter-intuitive outcomes where disabled people are denied measures that would make services accessible to them as independent people who should not be assumed to be reliant on others.

9.12 It is vital, however, that the definition of ‘substantial’ is that given by Section 4.17 of the Employment Code of Practice. This provides that:

“The Act says that only substantial disadvantages give rise to the duty (S6(1)). Substantial disadvantages are those which are not minor or trivial.”

9.13 We ask that the Government adopt a uniform and consistent approach to the trigger to make a reasonable adjustment across the DDA. The trigger should be modelled on the one used for employment and education, which is ‘substantial disadvantage’.

10. The hearing of Part 3 cases in Employment Tribunals

10.1 The draft Disability Discrimination Bill does not address the well researched difficulties that blind, partially sighted and other disabled people have had and are still experiencing in relation to taking discrimination cases under Part 3 of the DDA in the County or Sheriff Courts (The Price of Justice, RNIB, 2000). We would like government to make provision that Part 3 cases can be heard in an employment or equality tribunal, with the power to transfer cases to the courts.

10.2 Currently cases of alleged discrimination in relation to goods, facilities, services and premises are heard in the County Court (in England and Wales) or Sheriff Court (in Scotland). This is different to employment cases, which are heard in Employment Tribunals.

10.3 The available numbers illustrate the huge gap between the number of cases heard in the Employment Tribunals and those taken to the County or Sheriff Courts, demonstrating the consequences of the expense and risks associated with taking cases in the courts:

- 8,908 Part 2 cases were issued and/or decided from when Part 2 came into force up until 1st September 2000.
- 53 known Part 3 cases were issued from when the DDA came into force up until 1st February 2001.

(Figures from ‘Monitoring the Disability Discrimination Act 1995 (Phase 2)’, Income Data Services & DWP, February 2002.)

10.4 Cost of bringing a claim

Unlike Employment Tribunals, the County and Sheriff Courts require a fee in order to issue a claim and begin proceedings. This fee varies according to how much and what is being claimed in the case, and is not payable by people on income support or in severe hardship. However, knowledge of

this exemption is not widespread and the initial fee is beyond the means of many.

10.5 Allocation of the case to a track

In addition, the track to which a case is allocated can determine whether or not a claimant pursues the case. Claimants will want to keep cases in the small claims track where costs are unlikely to be awarded against them if they lose (unless they have acted unreasonably). However, it is open for defendants to argue that the case be heard in the fast or multi-track (costs are fixed in the fast-track, but potentially unlimited in the multi-track).

10.6 Where a defendant is successful in getting the case allocated to the fast or multi-track, in most cases a claimant without legal aid or support from RNIB or the DRC, or others, will have to withdraw their claim due to the potential financial implications of losing the case and having the defendant's costs awarded against them.

10.7 It is imperative that disabled people have access to justice. Otherwise the DDA is little more than a voluntary code. We propose the following measures:

- All discrimination cases should be commenced in employment tribunals.
- Where the matter does not relate to employment the tribunal should be designated an equality tribunal. This is in line with the Independent Review of the Enforcement of UK Anti-Discrimination Legislation.
- Lay members who are called to hear cases should have knowledge and experience of the relevant field; additional members should be appointed with relevant knowledge in respect of education and consumer affairs.
- The President of Tribunals or a Regional Chairman should have the power to transfer a matter to the County Court either on application by a party or of his or her own motion.
- The criteria for transfer should include:
 - whether it would be more convenient or fair for the hearing to be held in County or Sheriff court, having regard to the facts, legal issues, remedies and procedure.
 - the availability of a judge specialising in this type of claim.

- the facilities available at the tribunal and at the court where the claim is to be dealt with and whether they may be inadequate because of the disabilities of a party or a potential witness.
- the financial value of the claim and the importance of the claim to the public in general.

10.8 Equivalent provisions should be made for the transfer of cases to the Sheriff Court in Scotland

10.9 From October this year, and following the implementation of the Disability Discrimination Act 1995 (Amendment) Regulations 2003, Tribunals will have jurisdiction in relation to employment businesses, which are currently covered by Part 3 of the DDA and thus heard in the County Court. As a result of the changes to jurisdiction, the Tribunals will be considering the full gamut of duties under Part 3 of the Act - including the reasonable adjustment duties relating to physical features. Thus Tribunals will already be used to dealing with "goods and services issues" - giving added weight to Tribunals' abilities to consider goods and services cases, where the reasonableness of an adjustment to a physical feature is also central in determining the merits of cases.

11. Power of Employment Tribunals to order Re-instatement or Re-engagement.

11.1 Currently an Employment Tribunal, when ruling in favour of a blind or partially sighted person who has taken a disability discrimination case against an employer, does not have powers to order the reinstatement of that person in their job or re-engagement if requested. This is unlike cases of unfair dismissal, where the power of reinstatement already exists.

11.2 Seventy five per cent of blind and partially sighted people of working age are not in employment (Work Matters, RNIB, 2002). They face additional barriers to gaining and retaining employment, such as inaccessible and discriminatory adverts (additional measures relating to which the draft Bill addresses), discrimination at recruitment stage, an inaccessible transport system and inaccessible workplaces. For these reasons it makes sense to offer blind, partially sighted and other disabled people who win disability discrimination employment cases, the same

option of reinstatement available to people who win unfair dismissal cases, so they can go back to their job or be re-engaged if that is an option they wish to take up.

11.3 In some cases a breakdown in employer-employee relations will have occurred prior to the case being heard that will make reinstatement an unattractive proposition. However, we feel that the option of reinstatement should exist and legislation should be harmonised.

11.4 Currently there is no limit on the compensation that can be awarded in cases of disability discrimination. With unfair dismissal cases there is a £50,000 ceiling. It is imperative that giving tribunals powers of reinstatement in relation to disability discrimination does not lead to limiting compensation awards. As an employer could defy a reinstatement order, leading to a further compensation claim, such a limit to compensation awards would act against the interests of disabled people who have faced disability discrimination. In addition, those for whom reinstatement or re-engagement is not appropriate need unlimited damages to be maintained.

11.5 The DRTF recommended this and the government agreed.

12. Disability Leave

12.1 Disabled people are nearly five times as likely as non-disabled people to be out of work and claiming benefits. Of the 2.8 million disabled people on state benefits and not in work nearly a million would like to work. In the case of blind and partially sighted people the statistics are more shocking, with 75% of blind and partially sighted people of working age not in employment.

12.2 85,000 blind and partially sighted people of working age are facing exclusion from the labour market due to employers' negative attitudes towards people with sight loss (50% would not employ someone who has difficulty seeing) and a lack of support. (Work Matters, RNIB, 2002).

12.3 To improve job retention we have been forwarding the idea of disability leave as a right that government should support and include in part 2 of the DDA or the Employment Rights Act, 1996. We now see the

draft disability discrimination bill as a further opportunity to highlight the potential of this important right.

12.4 What is disability leave?

Disability leave would enable newly disabled people, and those whose existing impairments change, to retain their employment through the provision of a limited period away from the workplace for rehabilitation and/or retraining that allows them and their workplace to make adjustments for their impairment, allowing them, when ready, to return to work. Whilst the scope of reasonable adjustments in the employment provisions of the Act can - and often is - interpreted to permit disabled people to have time off in relation to their disability, it is not a right and depends on the circumstances of the case. We would wish to see a firm right to return to work embedded in legislation.

12.5 Four thousand people in employment lose their sight each year and of these around 25 per cent leave work quickly, moving into unemployment. These people could have remained in employment had they been able to take disability leave for;

- low vision assessments
- independent living assessment and training
- mobility training
- training in the use IT access technology

12.6 As with maternity leave, disabled people who take disability leave would have a right to return to work in the same or an equivalent position.

12.7 During the course of leave disabled people would be on disability benefits, thereby meaning that their employer would not be financially disadvantaged by the period of leave.

12.8 Disability leave would allow the 4,000 people in employment who experience sight loss each year to have the time and support to adjust and remain in work, rather than slipping into unemployment. This is desirable considering the increased tax revenue it ensures through people remaining in work and the reduced cost to the state in the form of benefit payments.

12.9 Disability leave is needed not just for people who experience sight loss, but for anyone who needs training and rehabilitation resulting from a new or changed impairment.

12.10 We ask the Government to consider the benefits of providing a right to disability leave and consult on its introduction amongst all stakeholders.