

# CALL Scotland Response to Health Bill: S2 Amendment on the provision of voice equipment: Call for Views

---

<b>CALL Scotland proposals</b>	<b>Explanatory Notes</b>
<p>CALL Scotland is the Scottish national centre of excellence working in the field of Assistive Technology (AT) and Augmentative and Alternative Communication (AAC) for children and young people with additional support needs. CALL is funded primarily by the Scottish Government to provide a lead in the field, and provides services to local authorities through partnership agreements. CALL undertakes action research and provides a range of services across Scotland:</p> <ul style="list-style-type: none"><li>• assessment and support for individual learners requiring AT and/or AAC (funded by local authorities);</li><li>• strategic leadership in partnership with the Scottish Government, Her Majesty’s Inspectorate of Education, Education Scotland, Scottish Qualifications Authority, voluntary organisations, families, schools and local authorities, to inform policy and promote effective practice;</li><li>• Scottish national information and advice service;</li><li>• Professional Learning for teachers and practitioners;</li><li>• Loans of AT for evaluation.</li></ul> <p>We welcome the opportunity to respond to the Call for Views and we offer our support to the general direction of the proposed amendment. We especially welcome a commitment to placing a duty on Scottish Ministers and through them, Health Boards, to provide communication equipment.</p> <p>We are concerned that the Amendment, although well-intentioned as noted in the Summary Statement, will not be adequate enough to address the substantive requirements necessary to improve provision for individuals. In order to ensure benefit to those who are affected, the amendment should underpin other areas of protection to people affected.</p> <p>Our proposed clauses follow on from the general framework set out within Section 46 of the National Health Service Scotland Act 1978 – which relates to provision of “invalid carriages”. Although Secondary Statutory Instruments and associated guidance have been set out in respect of Section 46, and would no doubt follow in respect of S46A, their roots lie in the broader commitments laid out in Section 46 itself. Section 46A should follow a similar structure to offer a framework within which any further SSIs and Statutory Guidance can be established.</p>	

<p><b>1) After section 31, insert—</b>  <b>&lt;PART</b>  <b>PROVISION OF COMMUNICATION EQUIPMENT</b></p> <p>After section 46 of the National Health Service (Scotland) Act 1978, insert—  <b>“46A Duty to provide or secure communication equipment for persons with a speech, language or communication difficulty.”</b></p> <p><b>For any child or adult who has a speech, language or communication difficulty due to a disability as prescribed under The Equality Act 2010 Part 2 Chapter 1 Section 6 and Schedule 1 Supplementary Information,</b></p>	<p><b>Explanatory Notes</b></p> <p><b>1 Reverse the order to put person first, which will make subsequent text easier to present.</b></p> <p>2 Because the Amendment will apply to children also, and by definition most children under 2 years would fall within the current definition, this needs to be addressed. The simplest way to do so is via existing legislation contained within The Equality Act 2010 Part 2 Chapter 1 Section 6 Disability and associated Schedule 1.</p>
<p>The Scottish Ministers must, to such extent as they consider necessary to meet all reasonable requirements, provide or secure the provision of—</p> <p><b>(a) communication equipment, which can take the form of pictures, gestures, symbols or photographs, as well as digital technology including voice output communication aids.</b></p>	
<p><b>(b) where appropriate, adaptations and mounting of the equipment for the purpose of making it suitable for the circumstances of that person;</b></p>	<p>(b) communication equipment will often requiring special mounting, peripherals and associated bespoke adjustments or build to a specification suitable to an individual.</p>
<p><b>(c) maintenance, warranties and repair of the equipment;</b></p>	<p>(c) without this equipment can lie on a shelf</p>
<p><b>(d) insurance policies relating to the equipment and pay such dues as arise;</b></p>	<p>(d) some means to replace equipment will be required or a write-down policy</p>
<p><b>2) The Scottish Ministers may, on such terms and subject to such conditions as they may determine, make payments by way of grant towards costs incurred by any such person as is mentioned in subsection (1) in respect of all or any of the following matters in relation to communication equipment provided by the Scottish Ministers for, or belonging to, that person, that is to say—</b></p> <p><b>(a) the taking of any such action as is referred to in subsection (1);</b></p> <p><b>(b) training in the use of that equipment.</b></p>	<p>2) Costs for undertaking training in use may be needed as well as in areas set out in (1) (a) through (d)</p>
<p><b>3) Regulations made by the Scottish Ministers may provide for any incidental or supplementary matter for which it appears to them</b></p>	<p>(3) To provide more detailed and prescriptive measures</p>

<p><b>necessary or expedient to make provision in connection with the taking of any action under subsection (1) or the making of any payment under subsection (2).</b></p>	<p>and to allow for flexibility in order to ensure appropriate recognition and implementation of future developments in technologies.</p>
<p>We agree that this response can be made available to the public via Scottish Parliament or Scottish Government websites. Also that CALL Scotland is happy for this response to be shared within and between Scottish Parliament and Scottish Government departments.</p>	

Joanna Courtney, Specialist Speech and Language Therapist, CALL Scotland  
Communication, Access, Literacy, Learning (CALL) Scotland  
The University of Edinburgh  
Moray House School of Education  
The University of Edinburgh  
Paterson's Land, Holyrood Road  
Edinburgh EH8 8AQ.