

# **DISABILITY COMMISSIONER (SCOTLAND) BILL**

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## **FINANCIAL MEMORANDUM**

### **INTRODUCTION**

1. As required under Rule 9.3.2 of the Parliament's Standing Orders, this Financial Memorandum is published to accompany the Disability Commissioner (Scotland) Bill, introduced in the Scottish Parliament on 8 February 2024. It has been prepared by the Parliament's Non-Government Bills Unit on behalf of Jeremy Balfour MSP, the member who introduced the Bill.

2. The following other accompanying documents are published separately:

- statements on legislative competence made by the Presiding Officer and the Member who introduced the Bill (SP Bill 43–LC);
- Explanatory Notes (SP Bill 43–EN);
- a Policy Memorandum (SP Bill 43–PM).

### **BACKGROUND**

3. The Bill will establish a Disability Commissioner for Scotland whose primary purpose will be to promote and safeguard the rights of disabled people. The Commissioner will be independent from Government.

4. The member's intention is that the Commissioner will advocate for disabled people at a national level, using the functions set out in this Bill to promote awareness and understanding of the rights of disabled people, review the law, policy and practice relating to the rights of disabled people with a view to assessing their adequacy and effectiveness and promoting best practice by service providers. The Commissioner may also promote, commission, undertake and publish research on matters relating to the rights of disabled people.

5. The Commissioner will also have the power to undertake investigations into devolved matters if they see that the issue relates to disabled people or a disabled person. These investigations will seek to encourage consideration of the rights, views and interests of disabled people in the decision-making and actions of service providers.

6. By establishing a commissioner and giving the Commissioner the legal framework to undertake the functions set out in the Bill, the member considers that the Bill will provide a dedicated champion of disabled people, who can influence positive change.

7. In determining the functions that the Commissioner should have, and the role that they should play, the member has drawn inspiration from the Children and Young People's Commissioner Scotland (CYP Commissioner). The member notes the high profile of the CYP Commissioner, and the influence and impact that they have on many matters relating to children's rights. The member envisions that the Disability Commissioner should have a similar profile and impact as that of the CYP Commissioner.

## **METHODOLOGY**

8. The Scottish Parliamentary Corporate Body (SPCB) supports several independent officeholders, including commissioners, which have been established by Scottish Parliament legislation. There are currently seven officeholders:

- Commissioner for Ethical Standards in Public Life in Scotland;
- Scottish Biometrics Commissioner;
- Scottish Commissioner for Children and Young People;
- Scottish Human Rights Commission;
- Scottish Information Commissioner;
- Scottish Public Services Ombudsman;
- Standards Commission for Scotland.

9. More recently, in September 2023, legislation was passed that will establish a Patient Safety Commissioner for Scotland. The Bill received Royal Assent on 7 November 2023.<sup>1</sup> In addition, the Victims, Witnesses and Justice Reform (Scotland) Bill,<sup>2</sup> which includes provision for the establishment of a Victims and Witnesses Commissioner for Scotland, was introduced in April 2023. Both commissioners would be supported by the SPCB.

10. Where applicable, this financial memorandum draws on the estimated figures for recently established commissioners, or on recent legislation relating to the establishment of commissioners. Consultation has also taken place with SPCB officials, who have provided estimated costs, which are referred to in this document where appropriate. The estimates are accurate at the time of publication, but subject to change.

11. This approach has been taken as the member wishes the estimated costings for establishing and running the commissioner's office to be in line with up-to-date practice. However, where applicable, other sources have been used, such as the annual accounts of other established commissioners and public bodies.

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<sup>1</sup> Patient Safety Commissioner for Scotland Bill, [Bill becomes an Act | Scottish Parliament Website](#), accessed 9 January 2024.

<sup>2</sup> [Victims, Witnesses, and Justice Reform \(Scotland\) Bill – Bills \(proposed laws\) – Scottish Parliament | Scottish Parliament Website](#), accessed 9 January 2024.

12. In drafting this document, reference was also made to the Scottish Parliament Finance Committee Report on Accountability and Governance.<sup>3</sup> In line with the principles set out in the report, the member's view is that, where possible, the Commissioner should share services and accommodation with other public bodies and avoid duplication of work.

13. The estimated costs in this memorandum are split into initial set up costs and ongoing costs. For the purposes of the memorandum, it is estimated that the Commissioner's office will be established in the 2025/26 tax year.

## **COST ON SCOTTISH PARLIAMENTARY CORPORATE BODY**

### **Set up costs**

#### ***Office of the Disability Commissioner***

14. Although the Disability Commissioner will be an independent officeholder, in exercising their statutory functions, they will be accountable to the SPCB, and the creation of the Commissioner will result in additional costs on the Scottish Parliament budget.

#### ***Recruitment of Commissioner and staff***

15. An estimate of up to £8,000 has been made to cover the costs of recruitment of the Commissioner (1.0 FTE) and four full time equivalent members of staff. The estimated costs are based on the financial memorandums accompanying the Patient Safety Commissioner for Scotland Bill<sup>4</sup> and the Victims, Witnesses, and Justice Reform (Scotland) Bill,<sup>5</sup> both of which estimated a cost of £8,000 on initial recruitment costs.<sup>6</sup> These costs include advertising, assessor's fees, warrant costs and HR support costs. The staffing numbers estimated are in line with those of recently established SPCB-supported commissioners, and the staff numbers projected for commissioners that are yet to be established. It should be noted, however, that the number of staff recruited may vary from those estimated above, on the approval of the SPCB. Any variation may have an impact on recruitment costs. However, any such extra costs incurred would be expected to be minimal.

#### ***Commissioner's remuneration and staff salaries***

16. It is expected that the Commissioner and staff would be in their roles for part of the first year following the office being set up (2025/26). It is estimated that the Commissioner would be in place for seven months of the initial year, and staff members for two months. The estimated cost of the Commissioner's salary plus add on costs for seven months, based on information provided by SPCB officials, would be £75,837. It is estimated that the four staff members' salaries and add on costs for two months will be £40,702, taking the total salary costs for year 1 to £116,539.

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<sup>3</sup> [The Scottish Parliament - Finance Committee Report Inquiry into Accountability and Governance](#), accessed 9 January 2024.

<sup>4</sup> The Patient Safety Commissioner for Scotland Financial Memorandum states that there will be 3 staff members in year 1 and 4 in year 2. [Financial Memorandum accessible \(parliament.scot\)](#), accessed 9 January 2024.

<sup>5</sup> This Bill provides for a Victims and Witnesses Commissioner.

<sup>6</sup> The Scottish Biometrics Commissioner Annual Accounts for 2021/22 attributed £2000 to recruitment costs. [Scottish Biometrics Commissioner Annual Report and Accounts 2021/22](#), accessed 9 January 2024.

17. The estimated staff numbers are based on what the member considers to be appropriate as well as on figures contained in the financial memorandums accompanying recent bills to establish a Patient Safety Commissioner and a Victims and Witnesses Commissioner. The respective financial memorandums for those bills estimated that around 4 staff members would be needed, with the Victims and Witnesses Commissioner's team comprising of an office manager, two members of policy/research staff and an admin support staff member.

18. The member expects the configuration of the Disability Commissioner's staff to be similar to that of the proposed Victims and Witnesses Commissioner. However, should the Commissioner share services with other public bodies, less staff may be required. For example, if payroll services do not require to be covered by a staff member of the Commissioner, it may be that a 0.5 FTE administrative staff member is required, rather than a full-time member of staff.

19. Should the Commissioner determine that more staff members are required than set out above, approval will be required from the SPCB.

### ***Accommodation***

20. The location of the Commissioner's office will be a matter for the Commissioner to decide during the set-up period, subject to any direction given by the SPCB. The member considers that steps should be taken wherever possible to reduce accommodation costs, for example, by co-locating with other public bodies in existing premises. It is noted that several bodies supported by the SPCB, including the Scottish Public Services Ombudsman, the Scottish Human Rights Commission, the Scottish Biometrics Commissioner and the Children and Young People Commissioner for Scotland occupy the same building, each with its own self-contained office. Further to this, the Ethical Standards Commissioner for Scotland shares accommodation with the Scottish Legal Aid Board and the Standards Commissioner for Scotland has an office in the Scottish Parliament building.

21. While the member's view is that the Commissioner should share accommodation with other public bodies, if possible, in order to reduce accommodation costs, it is unknown whether shared accommodation that would be suitable for the office of the Commissioner will be available at the time in which the office is being set up. For that reason, a cost estimate of £95,000 has been made for accommodation, fit out, furniture and legal fees on the basis of the Commissioner requiring accommodation in an accessible location. This is based on £50,000 in fit-out expenses, £20,000 on furniture and £25,000 in professional and legal fees. The professional and legal fees of up to £25,000 reflects the cost to search for suitable property, to agree terms and to complete legal agreements that would also be incurred.

22. The estimated costs are based on costings included in the financial memorandum for the Patient Safety Commissioner for Scotland Bill<sup>7</sup> (on the basis that the Disability Commissioner would require accommodation of a similar size and for a similar purpose) and information provided by SPCB officials.

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<sup>7</sup> The Patient Safety for Scotland Commissioner Bill estimated that £85,000 would be spent on accommodation set up costs.

## **IT set-up/website**

23. The office of the Disability Commissioner may seek to use the Scottish Government IT system (SCOTS), as is the case with other bodies, including the Scottish Human Rights Commission, the Police Investigations and Review Commissioner and the Scottish Public Services Ombudsman.

24. Financial memorandums accompanying recent legislation relating to the establishment of commissioners have estimated the costs of IT and website set up of between £50,000 to £70,000.<sup>8</sup> This is based on the installations of the SCOTS system, as well as any other hardware and software costs. Further to the above, figures provided by SPCB officials estimate that initial set up costs for IT and website, based on the use of the SCOTS system, would be £45,000.

25. An estimate of between £45,000 and £70,000 has therefore been made for IT and website set-up for the Disability Commissioner, based on the figures set out above. It is possible that costs will be on the lower end of the scale, particularly if the Commissioner uses shared accommodation, where a suitable IT system is already in place, and as the website is intended to be used as a source of information, so should therefore not be too complex to design and establish.

26. If the Commissioner wished to install an alternative IT system, the assumption is that the costs would not exceed those outlined above in respect of the SCOTS system.

## ***Payroll/HR services***

27. The office of the Commissioner will require a contract for payroll services and the set-up of HR support, which would include the preparation of staff contracts and a staff handbook. The total costs are estimated to be between £2,000 and £4,000. This is based on estimates provided by SPCB officials and the estimates for the Patient Safety Commissioner for Scotland, Victims and Witnesses Commissioner and the Scottish Biometrics Commissioner.

## ***Awareness raising***

28. Funding may be required to ensure that disabled people and other stakeholders are aware that the Disability Commissioner has been established, of what the Commissioner's functions are and of how the Commissioner can be engaged with. The member considers that this could consist of a short-term advertising campaign, followed by ongoing funding for promotion and publicity costs.

29. The annual accounts of the CYP Commissioner<sup>9</sup> set out a spend of £48,000 and £85,000 on publicity and promotion in 2021-22 and 2022-23 respectively. However, it should be noted that these relate to ongoing costs of an established commissioner, rather than to set up costs.

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<sup>8</sup> The Scottish Biometrics Commissioner Bill Financial Memorandum estimated costs of £50,000, the Patient Safety Commissioner for Scotland Bill Financial Memorandum estimated costs of £59,034 for IT, mobile and web set up and the Victims, Witnesses, and Justice Reform (Scotland) Bill estimated costs of £68,700 for It, mobile and web set up for a Victims and Witnesses Commissioner.

<sup>9</sup> CYP Commissioner, Annual Report and Accounts 2022-23 [Children and Young People's Commissioner Scotland \(cypcs.org.uk\)](https://www.cypcs.org.uk).

30. Given the member’s expectation that the Disability Commissioner should have an impact and level of outreach on a similar scale to that of the CYP Commissioner, between £48,000 and £85,000 per annum has been estimated for initial and ongoing publicity and promotional costs.

**Table A – set up costs**

<b>Type of cost</b>	<b>Estimated amount</b>
Recruitment	£8000
Commissioner remuneration	£75,837
Staff salaries	£40,702
Accommodation	£95,000
IT set up/website	£45,000-£70,000
Payroll/HR service	£2,000 - £4,000
Publicity and promotion	£48,000-£85,000
<b>Estimated total</b>	<b>£314,539-£378,539</b>

**Ongoing costs**

***Commissioner’s remuneration and staff salaries***

31. Taking other recent SPCB-funded commissioners as examples, the proposed salaries of the Patient Safety Commissioner for Scotland and the Victims and Witnesses Commissioner have both been estimated as £86,789, with add on costs taking the employer costs to £126,119 per annum. Further to this, figures provided by SPCB officials provide that the Commissioner’s remuneration would cost £130,005 per annum. For the purposes of this memorandum, the figure provided by SPCB officials has been used, as this is the most up-to-date figure.

32. It is expected that, in line with other recently established commissioners, the Commissioner will have four full time equivalent members of staff. For estimate purposes, it is expected that the Commissioner will appoint one FTE member of administrative staff and three FTE members of policy staff. The estimated salaries are based on figures provided by SPCB officials and would come to an estimated £244,212 per annum. These costs include employer’s costs (National Insurance and pension).

33. It is possible that the Commissioner may consider that more staff are required than is estimated above. However, such costs have not been estimated in this financial memorandum, on the basis that the Commissioner’s staff salary allowance would not exceed that of recent SPCB-supported commissioners. Should the Commissioner seek to employ additional staff members, approval from the SPCB would be required.

***Accommodation***

34. As noted earlier in the document, it is not presently possible to forecast the availability of shared public sector accommodation at the time of the establishment of the office of the Disability Commissioner. Therefore, for cost estimate purposes, this memorandum includes figures based on the assumption that a privately rented shared building is required, for which a monthly rental fee will be charged.

35. Again, using recent legislation relating to SPCB-funded commissioners as comparators, a range of £60,000 to £184,288<sup>10</sup> per annum has been estimated for ongoing annual accommodation costs, based on privately rented accommodation.

36. An estimated cost of between £60,000 and £184,288 per annum has been made for ongoing accommodation costs. Should the Commissioner share office with another public body, as is the member's preference, there is a potential that no additional accommodation costs will be incurred by the Commissioner on an ongoing basis.

### ***IT support and website maintenance***

37. As noted above, it is envisaged that the office of the Commissioner may wish to use the SCOTS IT system. The Patient Safety Commissioner for Scotland Bill's financial memorandum included SCOTS maintenance costs estimated by Scottish Government IT specialists at a total of £6,600 per annum (including VAT), based on 2022/23 costs,<sup>11</sup> while the estimate for the Victims and Witnesses Commissioner was £16,600 per annum.<sup>12</sup> If the Commissioner wished to use a non-SCOTS system, the assumption would be that its cost would not exceed that of SCOTS.

38. For website maintenance, both the aforementioned financial memorandums have estimated costs of £18,000.

39. Drawing examples from other public bodies that are already established, the Scottish Human Rights Commission (SHRC) spent £22,000 on IT costs and £13,000 in website costs in 2021-22<sup>13</sup>, the Scottish Biometrics Commissioner spent £3000 on IT support and £3000 on design and digital costs in the same year,<sup>14</sup> while the CYP Commissioner spent £45,000 on IT and website design in 2022 and £35,000 in 2023.<sup>15</sup> Figures provided by SPCB officials estimate that, based on the use of the SCOTS system, web and IT maintenance would cost £20,000 per annum. Taking the above estimates into account a range of between £20,000 and £45,000 per annum has been estimated for ongoing IT and website costs.

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<sup>10</sup> The Patient Safety Commissioner for Scotland Bill financial memorandum estimated ongoing accommodations costs of £184,288 per annum, the Victims, Witnesses and Justice Reform (Scotland) Bill Financial Memorandum estimated £140,000 per annum and Scottish Biometrics Commissioner Bill Financial Memorandum estimated £60,000 per annum. The Scottish Biometrics Commissioner, which was established in 2020, shares accommodation with other public bodies, and its accounts therefore do not attribute costs to accommodation.

<sup>11</sup> Patient Safety Commissioner for Scotland Bill, [Financial Memorandum accessible \(parliament.scot\)](#), accessed 10 January 2024.

<sup>12</sup> Victims, Witnesses and Justice Reform (Scotland) Bill [Financial Memorandum accessible \(parliament.scot\)](#), accessed 10 January 2024.

<sup>13</sup> Scottish Human Rights Commission, Annual Report and Financial Statements for year ended 31 March 2022 [Pdf \(browsealoud.com\)](#), accessed 10 January 2024.

<sup>14</sup> The Scottish Biometrics Commissioner Annual Accounts for 2021/22 attributed £2000 to recruitment costs. [Scottish Biometrics Commissioner Annual Report and Accounts 2021/22](#), accessed 9 January 2024.

<sup>15</sup> CYP Commissioner, Annual Report and Accounts 2022-23 [Children and Young People's Commissioner Scotland \(cypcs.org.uk\)](#).

### ***Payroll and HR services***

40. The office will also be required to provide payroll services and ongoing HR support. The total costs are estimated at £4,000 on the basis of comparator organisations.<sup>16</sup> However, should the Commissioner share accommodation with other public bodies, it is expected that they would share payroll and HR services and therefore would not incur any additional fees.

### ***Travel and subsistence***

41. To perform their functions effectively, the Commissioner may be required to travel around Scotland to engage with stakeholders. The estimates of such costs for the Patient Safety Commissioner for Scotland, which was based on an assumption of around five such visits per year, was £6,840 per annum. Further to this the CYP Commissioner spent £9,000 on travel expenses in 2022 and £43,000 in 2023,<sup>17</sup> while SHRC spent £5,000 on travel, subsistence, and hospitality during that period.<sup>18</sup> Estimates provided by SPCB officials suggest that the Commissioner and staff's travel and subsistence will cost £10,000 per annum. Given the CYP Commissioner figure for 2023 is substantially higher than the other costs set out, it may not be representative of typical average costs. A cost of £10,000 per annum has therefore been estimated for travel and subsistence.

### ***Inclusive communication and research***

42. Additionally, printing fees of up to £25,000 per annum have been estimated, allowing for the Commissioner to provide information and other documentation in accessible formats such as Braille and Easy Read. There may also be some costs associated with research carried out either by, or in conjunction with, disabled people at an estimated cost of £10,000-£20,000 per annum. These figures are based on information provided by SPCB officials.

### ***Professional fees***

43. Professional fees as set out in the Patient Safety Commissioner for Scotland and Victims, Witnesses and Justice Reform (Scotland) Bill financial memorandums, which were in turn based on SPCB data, include external audit and legal fees and are estimated at £30,000. It is noted that the CYP's Commissioner annual accounts for 2021/22 placed the cost of professional fees at £66,000 in 2022 and £51,000 in 2023.<sup>19</sup> However, the CYP annual accounts note that investigation costs are incorporated into the cost of professional fees.

44. Figures provided by SPCB officials estimate that professional fees may include auditors at £25,000 per annum and legal advisors at £10,000 per annum. Based on the figures provided by SPCB officials, an estimate of £35,000 has therefore been made for the purposes of this memorandum.

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<sup>16</sup> The Patient Safety Commissioner for Scotland Bill, Victims, Witnesses and Justice Reform (Scotland) Bill and Scottish Biometrics Commissioner Bill Financial Memorandums estimated £4000 per annum for ongoing marketing, HR and payroll set up.

<sup>17</sup> [Annual accounts 2022/23 - The Children and Young People's Commissioner Scotland \(cypcs.org.uk\)](https://www.cypcs.org.uk), accessed 10 January 2024.

<sup>18</sup> Scottish Human Rights Commission, Annual Report and Financial Statements for year ended 31 March 2022 [Pdf \(browsealoud.com\)](https://www.browsealoud.com), accessed 10 January 2024.

<sup>19</sup> [Annual accounts 2022/23 - The Children and Young People's Commissioner Scotland \(cypcs.org.uk\)](https://www.cypcs.org.uk), accessed 10 January 2024.



### ***Investigations***

45. There may be some additional associated costs should the Commissioner carry out investigations. The Commissioner will be able to request information relating to a specific investigation or require an individual to give evidence in person or by other means. The Commissioner may pay travel expenses where required, should the individual travel to provide evidence in person. The cost of this is difficult to quantify as it will depend on various factors including the frequency of investigations, whether in-person evidence is required and the distance the person providing evidence is required to travel.

46. The CYP Commissioner's annual accounts group advice and investigation costs with professional fees, at a cost of £66,000 in 2021-22 and £51,000 in 2022-23. However, the accounts do not go into detail as regard to what these costs cover and how they are split between the elements of advice, investigations and professional fees. Therefore, given that an estimate of £35,000 has been made for professional fees for the purpose of this memorandum, an estimate of £16,000 to £31,000 had been made for investigatory costs.<sup>20</sup>

47. Memoranda of Understanding may be needed between the Commissioner and other public bodies, particularly in relation to the carrying out of investigations. In addition, the Commissioner will publish a report into each investigation, setting out recommendations which the relevant organisations must respond to. Both the drafting of memoranda of understanding and the publishing of reports (and responses to them) are expected to be covered by the Commissioner's budget for staffing and other office costs.

48. Outwith the Commissioner's work on investigations, they will be required to publish an annual report, a strategic plan every four years and any further reports that they produce. As with reports on investigations, the cost of producing and publishing these reports is expected to be covered by the Commissioner's budget for staffing and other office costs.

### ***Publicity and promotion***

49. Part of the Commissioner's role is to engage with, consult with and listen to disabled people in order to be able to effectively promote and safeguard their rights. In order to do this, the Commissioner may wish to undertake various promotional activities. While some of this will be covered by website costs as referred to above, the Commissioner may also, for example produce and distribute leaflets, produce promotional videos, pay for promotional billboards or run television advertising campaigns.

50. As set out above, in line with the amounts contained in the annual reports of the CYP Commissioner, and figures provided by SPCB officials, an amount of between £20,000 to £85,000 per annum has been estimated for ongoing promotion and publicity costs.<sup>21</sup>

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<sup>20</sup> The costs in the CYP Commissioner Annual Accounts for 2021/22 and 2022/23 for professional fees, minus the estimate of £35,000 for professional fees set out in this memorandum.

<sup>21</sup> SPCB officials estimated a cost of £20,000 per annum, the CYP Commissioner spent £48,000 on publicity and promotion in 2021/22 and £85,000 in 2022-23.

**Shared services and other administration costs**

51. Figures provided by SPCB officials estimate various costs associated with the running of a commissioner’s office of around £29,500 per annum, including, but not limited to, staff training, postage and insurance. In addition, should the Commissioner share offices with other public bodies, it is expected they would share services – such as payroll and facilities management – with those organisations, at a cost of around £35,000 per annum. It should be noted that, should the Commissioner require private accommodation, the shared services costs would not be incurred, but other service costs, such as payroll and HR services, would be incurred.

**Table B – ongoing costs**

<b>Type of cost</b>	<b>Estimated amount</b>
Commissioner remuneration	£130,005
Staff salaries	£244,212
Accommodation	£0 - £184,288
IT support and website maintenance	£20,000 - £45,000
Payroll and HR services	£0 <sup>22</sup> - 4000
Travel and subsistence	£10,000
Inclusive communication and research	£35,000 - £45,000
Professional fees	£35,000
Investigations	£16,000 - £31,000
Publicity and promotion	£20,000 - £85,000
Administrative and other costs	£29,500
Shared services	£35,000
<b>Estimated total</b>	<b>£574,717 - £878,005</b>

**COST ON LOCAL AUTHORITIES**

52. One of the Commissioner’s functions will be to promote best practice by service providers. Further to this, the Commissioner will have powers to undertake investigations into by what means and to what extent a service provider has regard to the rights, interests and views of disabled people or a disabled person in making decisions or taking actions that affect an individual disabled person or disabled people.

53. The Bill defines service providers as “any person providing services for disabled people or a disabled person other than an excluded provider.” It therefore follows that a local authority may be considered to be a service provider.

54. The Commissioner may make recommendations for change following an investigation. For example, they may recommend that a local authority makes changes to the way they involve disabled people in their decision-making processes, which may require additional resources/ funding. However, the local authority would have no obligation to act on any such recommendations and while the Commissioner should influence and encourage change, they will not have the power to require such changes.

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<sup>22</sup> Should the Commissioner share accommodation with other public bodies, it is expected that HR and Payroll costs would be shared with those and thus covered by ‘shared services’ costs.

55. In the course of an investigation, a service provider may be required to provide documentation to the Commissioner, or to provide evidence to the Commissioner, either in person or by other means. There may be some minimal costs associated with doing so. While the Bill does not directly provide for this, the member considers that, should the service provider be required to travel in order to provide evidence, their expenses would be covered by the Commissioner's office budget.

56. It is not therefore anticipated that there will be any new costs for local authorities as a result of the Bill.

### **COST ON OTHER BODIES, INDIVIDUALS AND BUSINESSES**

57. As noted in the above section, other bodies, individuals and business who provide a service to a disabled person or people may be considered to be service providers under the Bill and therefore may be subject to recommendations from the Commissioner. However, as the Commissioner will not have the power to enforce any such changes no new costs are expected to be placed on bodies, individuals or businesses as a result of this.

58. In the course of an investigation, a service provider may be required to provide documentation to the Commissioner, or to provide evidence to the Commissioner either in person or by other means. There may be some minimal costs associated with doing so. While the Bill does not directly provide for this, the member considers that, should the service provider be required to travel in order to provide evidence, their expenses would be covered by the Commissioner's office budget.

59. In addition, a service provider may be required to respond to the Commissioner's report on an investigation, and this would involve staffing resources. The member expects that such duties will be covered by existing staff members and therefore will not generate any new costs.

### **SUMMARY OF ESTIMATED COSTS ASSOCIATED WITH THE BILL**

60. The table below shows a summary of the estimated costs associated with the Bill, broken down by set up and ongoing costs.

	<b>Set up costs (2025-26)</b>	<b>Ongoing costs (annual)</b>
<b>Parliamentary Corporate Body</b>	<b>£314,539-£378,539</b>	<b>£574,717-£878,005</b>
<b>Local Authorities</b>	N/A	N/A
<b>Other bodies, individuals and businesses</b>	N/A	N/A

*This document relates to the Disability Commissioner (Scotland) Bill (SP Bill 43) as introduced in the Scottish Parliament on 8 February 2024*

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## **FINANCIAL MEMORANDUM**

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