

National Barge Travellers Association (NBTA)

Comments on Canal & River Trust (CRT) Capability to Cruise Questionnaire

The NBTA has the following comments about the CRT Capability to Cruise Questionnaire, based on feedback from clients and volunteer caseworkers:

1. The form is obviously based on the DWP Capability for Work Questionnaire, which has extensive negative connotations for people with disabilities. The title should be changed to 'Equality/ Disability Questionnaire'. The file title 'capability-to-cruise-questionnaire – ESA50 (02/15 version)' should be removed from the heading of the opened electronic file.

2. The questions are intrusive and some appear to be aimed at collecting information that goes beyond the stated purpose of the form. There should be a rider at the start of the form saying 'you don't have to answer all the questions but the more information we have about your disability etc, the easier it is for us to meet your needs'. Taken together, the questions on the form as it stands are an unjustified invasion of boaters' privacy. Making CRT's agreement to the reasonable adjustments that boaters are entitled to conditional on providing this information is a violation of their Article 8 ECHR rights.

3. Many of the questions are unnecessary in the context that CRT uses the information, and it is not the business of CRT to obtain this information because it is not related to boaters' disabilities or to their ability to navigate. This contributes to the intrusive nature of the form. The following questions should be removed for this reason:

About your work / study
Do you have access to transport?
About benefits you may be receiving

4. The following questions are also intrusive, and should also be removed. They are unnecessary for the purpose of CRT agreeing reasonable adjustments under the Equality Act, because the rights conferred to boaters under the Equality Act apply regardless of whether the boater is a live-aboard or leisure boater, and regardless of where they do their boating or the type of boat. It has not been made clear what CRT intends to do with the information demanded by these questions. If CRT wishes to collate this information with information about the number and type of Equality Act adjustments, it should be done outside of the scope of this process, such as through the annual Boat Owners' Survey:

Boat length
Type of boat
About your boating
Where do you do most of your boating?
If you are unclear about our regions please tell us which canal you spend most of the time on and name some nearby towns

5. The question:

About who is helping you complete this form: How do you know this person?

is also an intrusive and unnecessary invasion of privacy. It is not CRT's business to enquire into such matters.

6. The form has a number of shortcomings in the scope of the relevant information that it asks for. The following additional questions are needed:

a) Can you walk up/ down a steep slope? (Many locks have steep slopes of up to 45° between the lock side and the bottom landing stage and there is not always a flat route between these).

b) Can you climb up/ down a lock ladder?

c) Can you open and close a manual swing bridge?

d) Can you open and close a manual lift bridge?

e) Can you jump off your boat onto the bank across a gap to moor it?

f) Can you pull your boat to the bank with a rope and hold it there?

g) Can you lift a gangplank to place it between your boat and the bank?

h) Can you get on/ off your boat by walking across a gangplank?

7. If CRT needs to know where the boat is located in order to visit the boater, a simple question 'where is your boat now?' should be sufficient.

National Bargee Travellers Association
March 2018

secretariat@bargee-traveller.org.uk
www.bargee-traveller.org.uk
0118 321 4128

30 Silver Street
Reading
Berkshire
RG1 2ST