

Equality Outcomes and Mainstreaming Report 2021

Mainstreaming Report



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LINKED DOCUMENTS (published with this report)

- [Summary of Progress on Scottish Government Equality Outcomes 2017-2021](#)
- [Scottish Government Equality Outcomes 2021-2025](#)
- [Scottish Government Employee Data Tables](#)
- [Mainstreaming Equality In Scottish Government Agencies](#)

MINISTERIAL FOREWORD

Every person and every community deserves to be treated fairly and have every opportunity to fulfil their potential – as a modern progressive and outward looking country Scotland will benefit if it can draw on the talents of all our people.

This desire for a just and fair society is core to the Scottish Government's purpose: to create an even more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive economic growth. This report sets out the continuing progress we are making in mainstreaming equality and diversity as an employer and as a decision maker.

The coronavirus (COVID-19) pandemic has shown us how those individuals and communities who already experience the greatest inequality in society are the ones who are most negatively affected by catastrophic events. Simultaneously, it has also shown how, by working together with a shared sense of compassion and community we have been able to respond to this crisis in a way that demonstrates the strengths and values that bind us as a nation.

I am grateful to our communities and the front line organisations supporting them day in day out, who together have contributed to our collective response to this pandemic. This contribution has in large measure helped to inform and to shape this Government's response in a way that meets the needs of people who have been disproportionately affected and which responds to the inequalities upon which the pandemic has shone a bright light.

However, as we recover and rebuild from this crisis, it is more important than ever to work with our communities to understand how they have been affected by the pandemic and to use that understanding to inform our responses now and in the future.

For example, in response to reports at a UK-wide and international level that some Minority Ethnic (ME) groups may be at risk of experiencing disproportionate effects from the COVID-19 pandemic we established an Expert Reference Group on COVID-19 and Ethnicity to consider and inform the Scottish Government's approach in relation to the impacts of COVID-19 on ME communities. The ERG reported in November 2020 and we are considering how the findings from this report will inform our thinking as we move forward.

We also created a Social Renewal Advisory Board (SRAB), the purpose of which was to drive progress towards a fairer, more equal Scotland in the wake of the coronavirus (COVID-19) pandemic. The SRAB reported on 21 January 2021¹ and drew upon the expertise of equality and disabled people's organisations, housing and homelessness bodies, town centre and regeneration groups, and anti-poverty campaigners. The Board's advice to government is now under active consideration.

We cannot look at equality in isolation and I am pleased that at a time when the freedoms we enjoy through our human rights are in the spotlight, we are progressing the recommendations set out in the First Minister's Advisory Group on Human Rights (FMAG) to create a human rights framework for Scotland. The National Taskforce for Human Rights Leadership, which was established in early 2019 to progress the recommendations made by FMAG, has reported on its work. The Taskforce has recommended in its report that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on

1 [Social Renewal Advisory Board](#)

the Elimination of all forms of Racial Discrimination (CERD) are incorporated into domestic legislation as part of a broader aim to incorporate internationally recognised human rights.

Embedding equality and human rights across all aspects of Government policy and practice is critical to our approach. That's why the Programme for Government published in September 2020 makes a commitment to refresh our approach to this vital work, by developing an equality and human rights mainstreaming strategy, which is underpinned by a comprehensive approach to improving data collation and analysis; we also committed to ensuring that the voices of those impacted shape our approach and policies.

Equally our National Performance Framework has equality and human rights at its heart and a National Outcome to respect, protect and fulfil human rights, challenging us to ensure that our efforts reach all of Scotland's people. This report sets out some of the key work across portfolios and as an organisation that we have taken forward to meet those ambitions.

In looking to the future, we have developed, in consultation with a range of equality stakeholders, our new Equality Outcomes from 2021 to 2025 and I am grateful to all of those people who have contributed to their development. These outcomes sit alongside the commitment to integrate equality into our day to day business and the raft of policies and strategies across Government which are delivering improvements for communities. They increasingly align with our ambitions to ensure that equality and human rights are mainstreamed and embedded across all aspects of Government business.

In closing, I want to ensure that we can take the learning from this pandemic to inform the way ahead. It is this learning which will be key in both shaping and driving change. I want to see a Scotland that is inclusive, a Scotland that is a safe and prosperous place to live, a Scotland that recognises the value of and celebrates the diversity of its people. A nation that values our relationships beyond our borders. By working together we will deliver this ambition.



PERMANENT SECRETARY'S STATEMENT

The Scottish Government is committed to public service, improving outcomes for the people of Scotland and aspiring to be an exemplar in all that it does.

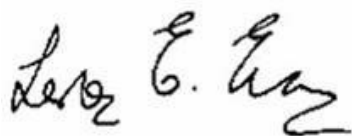
In order to achieve this ambitious aspiration, we need to be fully representative of modern Scotland and the public and communities we serve. Therefore the Scottish Government will continue to strive for a diverse and inclusive workforce in order to gain broader insights, increase challenge, engage more fully with all of our stakeholders and ultimately support Ministers better to make decisions that will benefit the whole of Scotland.

I am proud of the progress that has been made in recent years. Our recruitment campaigns have attracted a much more diverse field of candidates and as a result we are seeing a more diverse workforce within the Scottish Government. The Scottish Government's strategic focus on diversity and inclusion has a number of strands including the Recruitment and Retention Plan for Disabled People 2019 and the [Race Recruitment and Retention Plan 2021](#), which together aim to increase the representation of disabled and minority ethnic people at all levels of Scottish government, and a create a workplace environment where everyone can flourish. There are thriving diversity staff networks which are critical to building a sense of belonging and offering constructive challenge as we strive to do more, and better.

As an organisation, meeting the challenge of the global pandemic is by far one of the greatest challenges we have ever faced and in pivoting to meet this challenge, it is not an understatement to say that the Scottish Government have transformed how we conduct our business. The organisation has changed where, when and how people work, and even the kinds of jobs we all do. It is a testament to the workforce how we have been able to pull together to tackle this pandemic and draw upon the investments made over years in pandemic planning, resilience, and organisational readiness and being more open, capable and responsive to meeting the needs of Scotland's people.

We know the impacts of COVID-19 have not been felt equally and it is expected ongoing economic impacts will be felt disproportionately by women, those from minority ethnic communities, older people and disabled people. It is essential we continue to strengthen our approach to equality and human rights across Government by listening, understanding and involving the people affected by our policies and importantly strengthening public services that deliver for all.

Our role as civil servants is to deliver the Scottish Government's ambition. Our challenge is to ensure the needs of our most disadvantaged and marginalised communities are at the forefront of our minds as we take action not only as we recover from COVID-19 but in ensuring equality and human rights are embedded in all that we do.



INTRODUCTION

Significant advances continue to be made in promoting equality and tackling discrimination and disadvantage. However, we know that people still experience inequality on the basis of their protected characteristics² and that these inequalities are often long-standing and deep-rooted. Therefore, in making decisions that affect the lives of people in Scotland the Scottish Government has a duty under the law to eliminate discrimination, advance equality, and to foster good relations. Equality is thus an integral part of our business and the Public Sector Equality Duty set out in the Equality Act 2010 and the Scottish Specific Duties together provide a framework to help us deliver this effectively.

These duties are a key element in tackling inequality and in shaping decisions that will affect the lives of people in Scotland. This report provides an update on how the Scottish Government is working to improve the lives of people by mainstreaming equality across its full range of activities.

Structure of the Report

Part 1: Focuses on our strategic direction and processes and plans. Here we tell you about how:

- We are creating the conditions to mainstream equality through consultation and collaboration with academics and with communities
- We will seek to develop wider and more innovative means of participation and dialogue
- Learning from COVID-19 impacts and responses will be used to mainstream and embed equality across the range of protected characteristics defined by the Equality Act 2010.
- We are driving our commitment to equality forward through the creation of a new Directorate of Equality, Inclusion and Human Rights which will focus on using data and lived experience to improve outcomes, provide challenge where a policy is not working and will develop our approach to service design, ensuring our health, education, justice, housing and social security services work for the benefit of everyone in Scotland.
- Equality is built into all that we do including: procurement, housing, social care budget setting, investment, and data improvement
- Our plans and to tackle inequality across a range of areas, including fair work, race, older people, and disabled people are progressing

² Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

Part 2: is about the progress being made and work ongoing to embed and advance equality and diversity in relation to our people. This includes:

- Our corporate activity as an employer
- How we are placing people at the heart of our mainstreaming strategy, including our race recruitment and retention plan, and our recruitment and retention plan for disabled people
- How our staff networks are shaping our strategic approach, complementing corporate activity
- Key employee diversity data findings and how it is being used to improve our policies and practices.
- Our equal pay statement and Pay Gap Information: Gender, Race and Disability

This report should be read in conjunction with the documents, published alongside, that set out the Scottish Government's progress against its equality outcomes for the period 2017 -2021. The 2021-2025 equality outcomes and the thinking and the consultation that has informed these outcomes. Also published with this report are documents that provide update on Mainstreaming Equality in Scottish Government Agencies and Employee Equality Data.

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PART 1 - THE SCOTTISH GOVERNMENT AS A POLICY MAKER

1. POLICY

Policies and legislation

Building on policies and legislation already in place, the Scottish Government continues to seek to promote and advance equality in all that it does. This report provides a picture of this ongoing work and examples of good practice across the organisation. It also provides information on how as an organisation the Scottish Government has ensured that equality has been central to the response to the coronavirus pandemic. It should however not be viewed as a totality of the wide range of work that the Scottish Government is progressing to promote and advance equality.

2. CONSULTATION AND COLLABORATION

Collaboration

1. A cornerstone of the Scottish Governments, response to the pandemic has been consultation and collaboration to ensure that the voices of diverse communities are being heard and that measures to protect people from the virus are informed by the best information we have.
2. The report acknowledges the importance of this approach in developing a wider and more innovative means of participation and dialogue. Examples of good practice include the following.
3. The Cabinet Secretary for Communities and Local Government and the Cabinet Secretary for Social Security and Older People announced, in June 2020, the creation of a Social Renewal Advisory Board. The purpose of which was to drive progress towards a fairer, more equal Scotland in the wake of the coronavirus (COVID-19) pandemic. The board met regularly since coming into being, and drew upon the expertise from equality and disabled people's organisations, housing and homelessness bodies, town centre and regeneration groups, and anti-poverty campaigners.
4. The Board who reported on 21 January 2021³ built upon on the shifts in policy and practice that we have seen as a result of working across portfolios and in partnership with frontline service deliverers in local government, the third sector and communities. Its aim was to bank the policy and practice shifts seen during COVID-19 and utilise our current practice and knowledge with an emphasis on delivering equality and social justice. Focusing on reducing poverty and disadvantage, embedding a human rights-based approach and advancing equality. A programme to bring in the voices of lived experience sat alongside the Board.
5. An Expert Reference Group on COVID-19 and Ethnicity was established in June 2020 to consider and inform the Scottish Government's approach in relation to the impacts of COVID-19 on Minority Ethnic (ME) communities. This was in response to reports at a UK-wide and international level that some ME groups may be at risk of experiencing disproportionate effects, both in terms of adverse health outcomes and in a wider context, including economically.

3 [Social Renewal Advisory Board](#)

6. The creation of the Expert Reference Group was one of the five key actions being taken forward by the Scottish Government in response to COVID-19's impact on ME communities. The other four actions are: an ongoing programme of work to understand the data in relation to any disproportionate risks and impacts on ME groups; the publication of workplace assessments to ensure that ME staff working in health and social care settings receive the support they need; a targeted marketing campaign run throughout May, to ensure ME communities received core public health messages in accessible formats, and; direct engagement with ME communities and representatives, to listen to and address concerns, and outline Scottish Government work.
7. The Group, which comprised of academics and other expert advisers alongside Scottish Government officials, worked to contribute to the Scottish Government's emerging approach, and advised on proposed actions to mitigate the harms felt by ME communities in relation to COVID-19. The Group fed into the work of the Race Equality Action Plan Programme Board, as well as making strong links with the COVID-19 Advisory Group and other key groups.
8. The ERG on Covid and Ethnicity has submitted initial advice and recommendations to Ministers on issues highlighted by the pandemic – the two papers (on data and on systemic issues) were published autumn 2020⁴.
9. The Scottish Government published its [initial response](#) in November 2020.
10. The Scottish Government established an Advisory Group on Economic Recovery (AGER) in April 2020. The remit of the Group, who reported in June 2020⁵ was to provide expert advice on Scotland's economic recovery once the immediate emergency, created by coronavirus, has subsided. Specifically the Group was asked to advise on the economic recovery from the coronavirus pandemic, including: measures to support different sectoral and regional challenges the economy will face in recovery; how business practice will change as a result of coronavirus, including opportunities to operate differently and how Government policy can help the transition towards a greener, net-zero and wellbeing economy. The report highlighted how the pandemic had illuminated inequality with three dominant themes emerging from the report: inequality, education, and unemployment.
11. Solutions will be brought forward to enable a swift economic recovery and one that also ensures the Scottish economy will emerge stronger and more resilient. This will be done through proactive engagement with those affected by this crisis, and listening to those who are crucial for the rebuilding of a resilient economy. This Group is one of a number of mechanisms the Scottish Government will use to identify and inform its approach to shaping Scotland's economic recovery. It is recognised that the Group will need to consider how economic recovery will increase wellbeing, fairness and inclusivity, and makes the most of opportunities towards a greener, net-zero society.

4 [Expert Reference Group](#)

5 [AGER report](#)

3. MAINSTREAMING EQUALITY

Creating the conditions to mainstream equality

1. In September 2020, the Scottish Government published its annual Programme for Government ‘Protecting Scotland, Renewing Scotland’⁶. It includes a commitment to “develop an equality and human rights mainstreaming strategy, which is underpinned by a comprehensive approach to improving data collation and analysis, and will ensure that the voices of those impacted shape our approach and policies”.
2. It will seek to strengthen the mainstreaming of equality and also human rights in Scottish Government policy-making as a single joint endeavour, and by extending its reach across those characteristics, defined as “protected characteristics” by the Equality Act 2010. Strengthening the Scottish Government’s strategic approach to equality and human rights, as a policy maker, employer, and legislator, is a longstanding priority for Scottish Ministers, consistent with the Public Sector Equality Duty.

4. LEADERSHIP

Actions

1. To drive this commitment forward a new Directorate of Equality, Inclusion and Human Rights has been created, which became operational, following the appointment of a new Director at the end of 2020. The new directorate will focus on using data and lived experience to improve outcomes and challenge us when a policy is not working. It will also develop our approach to service design, ensuring our health, education, justice, housing and social security services work for the benefit of everyone in Scotland.
2. The development of the Equality, Inclusion and Human Rights Directorate came about following a recommendation from the First Minister’s National Advisory Council on Women and Girls, who had called for the Equality Unit to be up-scaled to a Directorate. The NACWG stated that this Directorate should have “the express purpose of ensuring intersectional gender competent policy coherence across Scottish Government’s policy development” and “have a role in ensuring the consistent application of EQIAs across policy-making by also acting as a review panel, should the competence of an EQIA be questioned”.
3. In accepting this recommendation the Scottish Government will: consider the role of the group in relation to the development and subsequent implementation of our Mainstreaming Equality and Human Rights Strategy and related activity, to ensure senior collective corporate ownership of this agenda; consider the relationship between the group and existing senior structures, including the Scottish Government Executive Team and Directors’ Network, and the Scottish Leaders’ Forum. In relation to the suggestion that this group should act as a review panel for EQIAs, we are considering the outputs of a literature review, published 11 February 2021⁷, commissioned by the Office of the Chief Social Policy Adviser which will provide evidence on other governments’ approaches to assessing different policy impacts and their effectiveness, and use this to shape the Group’s approach.

6 [Programme for Government](#)

7 [Literature Review](#)

5. STRATEGY

Workstreams and learning

1. The equality and human rights mainstreaming strategy will therefore complement a number of existing work streams. This includes our Human Rights Improvement Programme initiated in December 2019, and our ongoing review of the operation of the Public Sector Equality Duty, both in terms of the regulatory framework for mainstreaming equality and the implementation environment.
2. It will also be influenced by our experience of responding to the coronavirus pandemic. The impacts of COVID-19 have been and will continue to be experienced disproportionately by different groups, including women, people from minority ethnic communities, older people and disabled people, and by people who share a number of those characteristics in combination, often with deprivation as an additional aggravating factor. That these groups experience inequality is not new – but the experience of COVID-19 has exacerbated and exposed these pre-existing deep-seated inequalities. COVID-19 has highlighted the fundamental importance of ensuring that equality and human rights are central to our policies and decisions, across all areas of government.

6. EQUALITY DATA AND EVIDENCE

Data and evidence

1. Good equality evidence is key to the performance of the Public Sector Equality Duty and we are committed to improving the gathering, collation and use of equality data. The Scottish Government continues to work to strengthen data and evidence to support equality analysis and assessment. Our Equality Evidence Finder⁸ continues to evolve, and is a key resource for the Scottish Government, public authorities and other organisations to locate in a central repository equality evidence to inform policy and decision-making.
2. In June 2020, Scottish Government equality analysts produced and published a paper - Coronavirus (COVID-19): health and social impact assessment⁹ - that reviews the evidence on how the first three categories of harm (i.e. the health and social impacts) disproportionately impact people who are socioeconomically disadvantaged and how they vary depending on Equality Act protected characteristics (age, disability, ethnicity, gender, religion, sexual orientation and transgender).
3. The economic impacts on individuals are considered in a separate paper, published in April 2020, Coronavirus (COVID-19): economic impact of labour market effects¹⁰.
4. Within the Government's Programme for Scotland 2020-21, we have committed to developing a comprehensive approach to improving data collation and analysis to support our mainstreaming strategy.
5. Our work will also build on existing activity, including, the work of the Sex and Gender in Data group, which was established by the Cabinet Secretary for Social Security and Older People in June 2019. The group is comprised of professionals from across statistical services and led by Scotland's Chief Statistician. Its aim is to

⁸ [Equality Evidence Finder](#)

⁹ [Coronavirus \(COVID-19\): health and social impact assessment](#)

¹⁰ [Coronavirus \(COVID 19\): economic impact of labour market effects](#)

provide a clear statement about the collection and use of data about a person's sex and gender from the Chief Statistician of Scotland to Scottish Ministers. The work was paused temporarily in order to support our response to COVID-19. The draft guidance which is currently being consulted on, will recommend that data should be disaggregated by men and women to highlight if there are inequalities between men and women generally which need to be tackled, and where privacy allows (i.e. If the data is large enough), it should be broken down across a number of demographic characteristics - an intersectional analysis - to give an insight into how a combination of socio-demographic characteristics might create discrimination.

6. Innovative work on a Scottish Specific Gender Index was published in December 2020. This new Index has been designed to set a baseline and monitor the change of the agreed set of indicators. These indicators were developed over the course of a two-year period by a Scottish Government-led working group with prominent women's organisations and academics. The index will be focussed on gender but under each domain intersectional data will be included where it is currently available.
7. The index has been supported by funding from the Scottish Government to expand the Office of National Statistics population survey to include collection of time use data for Scotland and to develop other data on how resources are controlled within a household and on attitudes to violence against women and girls. The index will develop over time as data sources emerge and new indicators become possible.
8. Scottish Government equality analysts also produced and published a set of accompanying slide packs, which will be updated as evidence develops. The slide packs are designed to focus on key structural inequalities across a range of policy areas related to the four categories of COVID-19 harm. They present analysis by age, disability, ethnicity and sex. The audience for the slide packs is policy makers who require evidence to inform policies and programmes to mitigate the impacts of COVID-19.

7. STAKEHOLDER ENGAGEMENT AND CENTRES OF EXPERTISE

1. The Scottish Government values its stakeholders and places considerable emphasis on working collaboratively with them and the communities they serve. This report highlights activity around communication and engagement including support for a range of organisations and projects designed to increase the capacity and voice of equality communities and those experiencing discrimination or disadvantage.
2. We have already committed to the development of a centre of expertise on equality and human rights in the Economy family of Directorates, as part of our response to the Advisory Group on Economic Recovery's report 'Towards a Robust, Resilient Wellbeing Economy for Scotland'¹¹.
3. The Economy Centre of Expertise on Equality and Human Rights will work across the economy portfolio to develop an understanding of the evidence base on equality and human rights; to ensure we identify and capitalise on opportunities to advance equality and human rights, and build capacity, skills and understanding within policy teams.

11 <https://www.gov.scot/publications/towards-robust-resilient-wellbeing-economy-scotland-report-advisory-group-economic-recovery/>

4. Building on the learning gleaned from this work as it develops, we will consider the best means and models to deliver centres of expertise throughout the Scottish Government as part of our work to develop a Mainstreaming Equality and Human Rights Strategy. We will review models used within the Scottish Government, consider examples of best practice utilised elsewhere in the UK and internationally, and learn the lessons from our efforts to strengthen the mainstreaming of equality and human rights as a more cohesive joint endeavour during the period of our response to COVID-19.

8. PROCUREMENT

1. There are a number of provisions in the Procurement Reform (Scotland) Act 2014 that are used to advance equality through procurement including: the sustainable procurement duty; use of community benefit requirements; and steps to engage with supported businesses. The national [sustainable procurement tools](#) and guidance have been updated to help buyers across the public sector in Scotland identify and pursue equality outcomes in relevant procurements. The revised [equality guidance](#) was endorsed by the Equality and Human Rights Commission (EHRC).
2. Buyers are being encouraged to consider equality systematically alongside other social, economic and environmental factors through use of the revised tools and guidance. For example, in the tender for search and selection services for executive appointments for the Scottish National Investment Bank the successful contractor was required to: align recruitment processes to the principles for fair work as set out in the Fair Work Framework; ensure that every effort is made to maximise the potential for the Scottish Government's commitment to 50:50 gender balance on Boards by 2020 target is met; and to confirm if they have calculated their gender pay gap and developed an action plan for addressing the gender pay gap within their company.
3. As an example of the contribution that procurement can make to advancing equality through the inclusion of community benefit requirements in relevant public contracts and framework agreements, Scottish Government published a [case study](#). In addition to the original candidate getting a permanent contract, this work encourages recruitment from the pool of talent within Scotland's disabled community.

9. EQUALITY BUDGET PROCESS

1. The Scottish Government is committed to equality and tackling inequality, which is reflected in its strategic policy direction. This strategic policy direction establishes ongoing and new policy and resource allocation across Ministerial portfolios. Understanding the intended and unintended equality impacts of policy and spend is critical to ensuring that the strategic policy direction is being achieved for people with one or more of the protected characteristics.
2. To support this drive, equality assessment and budgeting is increasingly a year-round process. In 2019, we published informal [guidance](#) which challenged policy makers to systematically think through six key questions to identify ways in which budget decisions could be improved to advance human rights and address inequalities. More specifically, new approaches were developed to equality assess the impacts of all proposals in the Programme for Government and new tools were developed to help with the analysis of budget allocations on outcomes including testing the feasibility of cumulative distributional analysis of tax, benefits and spend.

3. One of the key equality budgeting documents is the Equality and Fairer Scotland Budget Statement (EFSBS) a document which is published each year alongside the Scottish Budget. The 2021-2022¹² statement sets out substantial work, across all the portfolios of the Scottish Government, to achieve greater equality and social justice. The Scottish Government is clear that work must continue to raise the bar and work to ensure that actions to progress equality are as impactful as possible.
4. The 2021-2022 budget includes resources to develop a strategic programme to embed equality and human rights across the Scottish Government. This reflects a clear understanding that these are not niche concerns but fundamental underpinnings for policy-making and delivery across the public sector in Scotland – and essential prerequisites to delivering the outcomes set out in the Scottish Government’s National Performance Framework.
5. The EFSBS is a continually evolving process and document. Working with the independently chaired Equality Budget Advisory Group (EBAG), efforts are made each year to try to improve the processes and reporting to provide clearer analysis of the links between spend and outcomes. EBAG collaborated in producing [informal guidance for policy makers on equality and human rights budgeting](#), published in August 2019. In December 2020, EBAG made recommendations for the future of equality budgeting processes in the Scottish Government for the incoming government to consider in summer 2021.
6. An [analysis of the impact of income tax changes](#) (2020) across income groups and with respect to age, sex and disability is published alongside the Budget. The Scottish approach to taxation is founded on the four principles of efficiency, convenience, certainty and proportionality to the ability to pay. These principles have been applied in developing and implementing tax policy. For example, the Scottish Government has taken a progressive approach to the Land and Buildings Transaction Tax (LBTT) protecting those purchasing their first home and supporting people as they progress through the property market.
7. The Scottish Government will continue to use the additional powers over Income Tax set out in the Scotland Act 2016 in a progressive manner, aiming to protect taxpayers on low incomes and raise revenue to fund high-quality public services for all. Analysis of Income Tax policy for the 2021-22 Scottish Budget found that almost 45% of adults in Scotland – which is 2 million individuals – will not pay Income Tax in 2021-22 as they will earn less than the Personal Allowance and they are therefore not directly affected by our Income Tax policy decisions. The analysis also shows that, taken together with changes in the UK-wide Personal Allowance, the Scottish Government’s Income Tax policy choices over the course of this Parliament (2016-17 to 2021-22) have been highly redistributive and protected low income earners. As average incomes are lower amongst people with some protected characteristics, this approach has a potential positive impact on equality.

12 [Equality and Fairer Scotland Budget Statement](#)

10. GOVERNANCE

8. The importance of EQIA and equality mainstreaming is recognised in the Scottish Government's governance structure. The procedure for accounting for public funds is as set out in the Scottish Public Finance Manual (for more information, see [here](#)).
9. Certificates of assurance by deputy directors inform a governance process that leads through Directors and Directors General to the Permanent Secretary. This process is designed to ensure that equality is embedded throughout the Scottish Government. An assessment of the governance process for 2019-2020 across Scottish Government divisions showed an overall confidence rate of 69.9% that support structures were in place to enable staff to undertake and complete EQIA. We know that we need to improve in this: both our new mainstreaming strategy and the review of the operation of the PSED in Scotland will consider ways in which we can increase this level of confidence. A range of work is already being taken forward in relation to strengthening the equality impact assessment process and this is set out below.
10. A cross-cutting review of policy impact assessments, including EQIA in Scottish Government has been undertaken as part of planned audit coverage in the updated Internal Audit Plan for 2020/21. While the review will cover all types of policy impact assessments, the Equality Impact Assessment (EQIA) will be a specific focus of the findings. Recommendations from this report will inform our strategy to strengthen the impact assessment process and will help to drive up confidence that impact assessments are at the heart of the policy-making process.
11. The Office of the Chief Social Policy Adviser is working with impact assessment leads across government to design a review of the Scottish Government's approach to impact assessments. The purpose of this work is to develop a range of recommendations setting out how the Scottish Government's approach to impact assessments could be improved in order to support better policy-making and an improved focus on National Outcomes. As part of that work a literature review completed and published on 11 February 2021¹³ is providing evidence on approaches to assessing policy impacts by other governments and their effectiveness. As part of the commission, contractors were asked to identify any early evidence regarding the effectiveness of impact assessments by other governments during the COVID-19 pandemic. The review focused on four-to-six governments with a particularly strong approach to impact assessment. These countries were identified on the basis of the review of the broader literature.

13 [Impact Assessments in Governments – Literature Review](#)

11. PLANS TO TACKLE INEQUALITY

1. The Scottish Government is progressing a number Action Plans and Strategies which are designed to promote and advance equality - for example, the Race Equality Action Plan, A Fairer Scotland for Disabled People Employment Action Plan¹⁴, the Gender Pay Gap Action Plan¹⁵ and the Equally Safe strategy co-owned with the Confederation of Scottish Local Authorities (COSLA) to prevent and eradicate violence against women and girls¹⁶. The Scottish Government recognises that there is an appetite to streamline if possible the number of plans across the range of protected characteristics and this is something that will be considered in the future.

12. FAIR WORK

Action Plan

1. The Fair Work Action Plan¹⁷ commits the Scottish Government to embedding Fair Work across portfolios. This includes a Fair Work and Gender Equality Ministerial Working Group to drive a strategic approach to embedding Fair Work across Ministerial portfolios. Fair Work is an agenda for all, and goes beyond statutory employment rights and protections. Fair Work also applies to all groups of society and aims to ensure those with protected characteristics can access and progress in work and enjoy the benefits from working, as others do.
2. Creating more diverse and inclusive workplaces is a key theme in the Fair Work Action Plan. Improving workplace equality is ever more pressing as we know that particular groups are disproportionately affected by the impacts of the pandemic.
3. The principles of Fair Work hold true for all workers: direct employees as well as others who are paid to work for and on behalf of an organisation, such as contractors, consultants and seasonal workers, and including those on permanent and temporary contracts.

13. DISABILITY

1. In December 2019 the Scottish Government published [A Fairer Scotland for Disabled People: progress report 2019](#). This report provides a progress update on the implementation of [A Fairer Scotland for Disabled People](#) action plan, published by the Scottish Government in 2016. We believe that a fairer Scotland can only be realised when equal rights are enjoyed by everyone. We recognise that effective solutions to the problems and barriers faced by disabled people must be drawn from the lived experience of disabled people and we are committed to working with disabled people to develop policies and the approaches required to solve problems and dismantle barriers. This report will form the basis of a further report to the Scottish Parliament in early 2021. At that time a more detailed account of the progress on each of the 93 actions in A Fairer Scotland for Disabled People will be published.

14 [Year one report Published March 2020](#)

15 [A fairer Scotland for women: gender pay gap action plan - gov.scot \(www.gov.scot\)](#)

16 [Equally Safe Delivery Pan Year Two Report](#)

17 [Fair Work Action Plan](#)

2. A Fairer Scotland for Disabled People: Employment Action Plan was published in December 2018, and sets out key actions that will be undertaken to deliver the ambition to at least halve the disability employment gap by 2038. The first Annual Progress Report of the Employment Action Plan was published in March 2020¹⁸ and highlighted the work undertaken, as well as outlining work being taking forward in 2020/21. Latest figures show that the disability employment gap in 2019 – 32.6 percentage points – was the lowest recorded in recent years. Working with partners we will seek to better integrate this work within each of the No One Left Behind Workstreams.
3. Following the publication of the first ever [British Sign Language \(BSL\) National Plan in October 2017](#), the first national BSL Progress Report will be published in 2021 alongside a further set of actions for delivery before the end of the plan in 2023.
4. The Scottish Government funds initiatives in Malawi and Rwanda aiming to enhance the economic sustainability and participation in development processes of disabled men and women; we are supporting a community ear and hearing care and rehabilitation of disabling hearing loss in Zambia; and we support disability mainstream training through a range of other projects in our partner countries.
5. In 2019 the Digital Directorate appointed a Head of Digital Accessibility. Inaccessible digital services exclude disabled people, limiting their opportunities for employment and capacity to live independently. The remit is to develop an organisational approach to improving digital accessibility for both the digital workplace and digital services provided by the Scottish public sector to citizens of Scotland. An early action was to appoint and manage an Accessibility Lead in the Social Security Directorate. This role seeks to assess and assure digital accessibility within the new Social Security services being developed in Scotland. This is paramount with Personal Independence Payment and Child Disability Allowance being key benefits being delivered.
6. The Scottish Government has demonstrated its commitment to co-production in the Reform of Adult Social Care Programme by supporting the establishment of the People-led Policy Panel, a diverse group of people with protected characteristics from across Scotland with lived experience of adult social care support. The Panel worked with Scottish Government, COSLA and the social care sector to co-produce the Reform of Adult Social Care Programme launched in June 2019 and to ensure access to the co-produced Reform Programme documents these were produced in Easy Read and British Sign Language (BSL).
7. Both Scottish and Local Government remain committed to the shared ambition of No One Left Behind, to deliver a Scottish approach to employability that focuses on the needs of the individual first and foremost. A person-centred system that is more flexible and responsive to the changing labour market, tackles inequalities and grows Scotland's economy is needed now more than ever as we shape our collective economic and wellbeing response to the current public health crisis.

18 [Annual Progress Report](#)

8. The National Assistance Phone line was set up in April, to connect callers to their Local Authorities local support. It was for individuals considered at increased risk from COVID-19 or the wider impact of isolation, including disabled people, older people, those self-isolating, and who didn't have family or community support could ask for help with essentials. A phone line was set up recognising that older people, disabled people and those with lower incomes were least likely to have access to the internet, and therefore access to other advice and support options. A text phone number was also established. If individuals could not use a telephone they could contact their Local Authority to access support through other local routes. Local Authorities offered services such as: helping people access essential food and medication; links to local social work services for vulnerable children or adults; emotional support; and contact with local volunteer groups.
9. From the start of the pandemic officials were in touch with Disabled People's Organisations (DPOs) and deaf people's organisations to ensure they were aware of funding opportunities to help their membership cope with the coronavirus outbreak. Organisations were funded to provide BSL versions of key public health messages as well as Easy Read, Braille, Moon, XXXL Print versions to help a variety of disabled people. One DPO received funding to increase the support their helpline could provide and acted as a pilot project for the Connecting Scotland initiative to provide digital kit and training to disabled people who had been digitally excluded. This helped them keep up to date with the public health messages, as well as connect to DPOs, family and friends and therefore reduce the threat of social isolation and loneliness. A few weeks after lockdown started officials started having fortnightly discussions with key DPOs to learn about the impact of the lockdown on disabled people and to ensure the information was appropriately distributed across the Scottish Government.

14. AGE

Older people

10. A Fairer Scotland for Older People – A Framework for Action¹⁹ was published in April 2019. The Scottish Government has continued to work with the Older People's Strategic Action Forum (OPSAF), who helped develop and shape the Framework, on our key commitments to take forward. Those commitments included a progress report to be published in April 2020 - due to the impact of the pandemic this work was paused and will be rescheduled.
11. Whilst work was progressing, the pivoting of work in response to the evolving coronavirus situation which took precedence over the remainder of 2020 was necessary.
12. In responding to the pandemic, the £350 million Supporting Communities Fund directly assisted organisations providing immediate support to people and communities. This funding included £1.3 million which went to directly to organisations supporting older people.

19 [A Fairer Scotland for Older People](#)

13. Throughout the pandemic relationships created by the development of the Framework have allowed Ministers to hear first-hand the issues older people were facing. OPSAF members have also contributed to the wider cross-cutting work of the Social Renewal Advisory Board allowing issues that directly affect older and disabled people, including the damaging effects of social isolation and loneliness.
14. We have also repurposed funding because of the virus. As part of our commitment to celebrate ageing, and tackle ageism, the Minister for Older People funded the Festival of Ageing in 2019. The second festival due to be held in June 2020, was sadly postponed, however the funding was repurposed to carry out a piece of research to identify the impacts on the virus on older people in Scotland. The research was provided to the Minister in January 2021 and provided a number of illustrations and case studies on the direct impact of the virus on older people. The report findings were shared with the Older People's Strategic Action Forum and will help to inform our ongoing approach.
15. As above the National Assistance Helpline was set up in April 2020 to connect callers to their Local Authorities for local support in recognition that older people, were least likely to have access to the internet, and therefore access to other advice and support options. A text phone number was also established. If individuals could not use a telephone they could contact their Local Authority to access support through other local routes.

15. AGE

Children and young people

1. On 20 August 2020 the Scottish Government published the [second annual progress report on child poverty](#) setting out the action taken, right across government, to tackle and reduce child poverty. The report highlights progress made to support low income families, including the launch of a new Parental Employability Support Fund, delivery of all three elements of the Best Start Grant with £21 million of awards made in 2019-20 and work to develop and finalise the policy and delivery mechanisms for the Scottish Child Payment. The report highlights that spend targeted at low income households increased to £1.96 billion in 2019-20, £554 million more than the previous year, and spend specifically targeted at children in low income households increased by £144 million to £672 million over the same period.
2. The annual report reiterates our strong commitment to supporting six priority family types at higher risk of poverty, which have very strong links with the protected characteristics for equality. These are: families with a child under one year old; families with young parents; lone parent families; minority ethnic families; larger families; families with a disabled adult or child. All programmes are required to plan how best to reach these priority families and develop programmes with them as the key focus.

3. Phase 5 of the Cashback for Communities Programme, which runs from 2020 to 2023 with a budget of £19 million, provides a range of activities for young people between the ages of 10 and 24 to: support people, families and communities most affected by crime; support those most at risk of being involved in antisocial behaviour, offending or reoffending into positive destinations; and support young people most at risk of entering the justice system. Work was done for Phase 5 to require CashBack partners to embed an EQIA within the application process. The CashBack projects also focus on tackling inequalities in areas of deprivation, working with some of the most disadvantaged young people aged 10-24. CashBack cuts across many policy areas such as education, employability, mental health and wellbeing and antisocial behaviour. Phase 5 also provides intergenerational support for parents, families and children impacted by Adverse Childhood Experiences.

16. RACE

1. The Scottish Government published a Race Equality Framework which sets out long-term goals (March 2016). Thereafter the Race Equality Action Plan (REAP) outlining more than 120 actions to secure better outcomes for minority ethnic communities in Scotland (December 2017). To support delivery of actions in the plan a Programme Board of senior officials has been established to oversee the implementation of the REAP. On 20 March 2020 the [Year 2 progress update on the REAP](#) was published, with a final report due for publication in 2021 with early recommendations for next steps in working toward the Race Equality Framework.
2. In addition to the work of REAP the [2020-21 Programme for Government](#) contains a number of commitments designed to advance and promote equality for minority ethnic people and communities. These commitments cut across economy, employment, health, housing, and acknowledge the need to address systemic racism.
3. The Scottish Government, in partnership with COSLA established the cross government [Gypsy/Traveller Action Plan 2019 - 2021](#) which is an essential part of our plan to tackle the deep-rooted inequalities faced by the community. All 32 Local Authorities have signed up to the Action Plan; which works in clear recognition of the need for action to make lasting changes that improve the lives of Scotland's Gypsy/Traveller community. This is being conducted through inter-related policy and interventions, across Scottish Government, COSLA & the third sector. In recognition of the need to coordinate work across Ministerial portfolios a ministerial working group continues to meet supported by lead officials in each portfolio area, as well as by colleagues at COSLA. Work is focusing on the four key areas of accommodation, education, poverty and health. A set of draft actions was published in spring 2019, and following consultation the Scottish Government will publish a firm set of commitments that are to be delivered before May 2021.
4. The Scottish Government is also working in partnership with the John Smith Centre to fund up to fifty places on a Leadership Development Programme for minority ethnic people, focussed on helping people to break down the barriers to accessing and contributing to public service and public life.
5. September 2020 saw the publication of a [toolkit](#) to support employers in [recruiting from minority ethnic communities](#). The toolkit is for recruitment managers in the public sector looking to improve the diversity of their workforce by recruiting more people from minority ethnic backgrounds. This toolkit includes a range of suggestions and ideas for organisations who will appreciate some initial guidance.

6. We know that some minority ethnic groups have been disproportionately affected by COVID-19, both in terms of health outcomes and wider impacts, including economically. Therefore to understand this better, and shape our response, [An Expert Reference Group on COVID-19 and Ethnicity](#) with membership consisting of academics and other expert advisers alongside Scottish Government officials was established to consider and inform the Scottish Government's approach in relation to the impacts of COVID-19 on Minority Ethnic (ME) communities. The group submitted initial advice and recommendations. These include recommendations on systemic racism and structural issues, as well as data and health inequality.
7. The creation of the Expert Reference Group is one of the five key actions being taken forward by the Scottish Government in response to COVID-19's impact on ME communities. The other four actions are: an ongoing programme of work to understand the data in relation to any disproportionate risks and impacts on ME groups; the publication of workplace assessments to ensure that ME staff working in health and social care settings receive the support they need; a targeted marketing campaign ran throughout May, to ensure ME communities received core public health messages in accessible formats, and; direct engagement with ME communities and representatives, to listen to and address concerns, and outline Scottish Government work. The Group will feed into the work of the [Race Equality Action Plan Programme Board](#), as well as make strong links with the [COVID-19 Advisory Group](#) and other key groups as necessary. The ERG on Covid and Ethnicity has put its [initial advice and recommendations](#) to Ministers on issues highlighted by the pandemic.
8. The initial cross-portfolio response to the ERG was [published on 4 November](#). Throughout the pandemic, more than £312,000 of funding has been provided to help ensure that people had access to culturally appropriate support services.
9. In June 2020, Scottish Government established an independent expert group to recommend how Scotland's existing and future museum collections can better recognise and represent a more accurate portrayal of Scotland's colonial and slavery history.

17. SEX

1. The Scottish Government recognises the range of inequalities faced by women and is taking action to tackle them. For example, evidence shows us that for many women accessing the labour market is a significant issue, particularly disabled women, older women, minority ethnic women, women from poorer socio-economic backgrounds and women with caring responsibilities is progressing a range of work with the objective of improving the lives of women. The Gender Pay Gap action plan²⁰ is at the heart of our sustainable and inclusive economic growth ambitions is central to tackling this inequality.
2. The Scottish Government's Programme for Government 2019-20 set out a commitment to deliver a Women's Health Plan to underpin actions to tackle women's health inequalities. The Women's Health Group was established in February 2020 to work together to develop, promote and implement a Women's Health Plan. The Women's Health Group will build on the work already being undertaken across Scottish Government, NHS Scotland and the third sector. It will provide a focal point for discussion, leadership and direction to focus policy development and quality improvements on the needs of all women across Scotland. It will link strategically

20 [Gender Pay Gap Action Plan](#)

with other developments and policy areas across the Scottish Government to ensure women's health and wellbeing is considered in policy output by the Scottish Government, identifying gaps in the provision of services, consider existing areas of best practice. It will develop actions to address these gaps producing a Women's Health Plan and supporting Health Boards, Local Authorities, partner agencies and Professional Organisations to work collaboratively to ensure services best meet women's health needs.

3. At the outset of the pandemic an additional £1.5m was provided to Scottish Women's Aid and Rape Crisis Scotland to support service redesign, expand National Helpline capacity and provide support for vulnerable women and children. Furthermore, at the end of September 2020, an additional £4.25m was provided to support projects and services tackling violence against women and girls.
4. The Scotland Pakistan Scholarship Scheme for Young Women and Girls is a five-year commitment (2019-24) to provide scholarships to women and girls at secondary school, undergraduate and masters level of education; we are supporting a project in Rwanda for victims of sexual and gender-based violence; and our partnership with Comic Relief in our joint 'Levelling the Field' Programme in Malawi, Rwanda and Zambia uses the power of sport to tackle social issues experienced by women and girls, developing essential life skills, fostering confidence and improving their self-esteem.
5. Scotland's new [Gender Equality Index](#)²¹ will measure the country's progress over time on gender equality, using statistical indicators to inform a number of domains covering a range of key policy areas. The baseline data was published in December 2020 and will be made accessible using an online dashboard to a wide range of users who have an interest in gender equality, including policy makers, the media and the public. It will show an up-to-date picture of the many facets of gender equality, and will be designed to demonstrate future change. The main index will only cover gender, but the commentary will include intersections of gender where evidence is available. In order to develop the index new data was collected on the intra-household distribution of resources, time use and violence against women and girls. Each of these data collections were published in separate reports in October, November and December 2020²².
6. The social care workforce is predominantly women and policy in this area therefore has a particular impact on this protected characteristic. Since 2016 there has been a joint policy with COSLA to ensure that all adult social care workers are paid at least the real living wage. During 2018/19, this commitment was extended to include those undertaking overnight social care support. It covers adult social care workers providing direct care and support to adults in care homes, care at home, day care and housing support. In partnership with COSLA we established the Fair Work in Social Care Group to develop and implement proposals to embed fair work principles that will lead to better terms and conditions and more rewarding roles for the social care workforce.

21 [Scotland's Gender Equality Index 2020 \(data.gov.scot\)](#)

22 [Time use in Scotland 2020: ONS Online Time Use Survey - gender analysis - gov.scot \(www.gov.scot\)](#) - [Scottish Social Attitudes Survey 2019: attitudes to violence against women - gov.scot \(www.gov.scot\)](#) - [Scottish Social Attitudes Survey 2019: intra-household distribution of resources - gov.scot \(www.gov.scot\)](#)

7. The independently co-chaired First Minister's National Advisory Council on Women and Girls (NACWG) was established in 2017 and work with a dedicated stakeholder membership (their Circle - currently 1300+) on an initial three-year strategy. This strategy looks at annual topics, from a systemic perspective, and reports to the First Minister on each, including any recommendations. In 2018 the focus was [Attitudes and Culture Change](#) and the Scottish Government [responded](#) positively accepting seven of the recommendations in full. We have taken steps to implement the remaining four recommendations, which fall outwith Scottish Government competence.
8. Since the publication of our substantive response to the NACWG first year report on Attitudes and Culture Change in June 2019 a range of work has been taken forward which includes: establishing Human Rights Taskforce that is investigating how to incorporate CEDAW (Convention for the Elimination of all forms of Discrimination Against Women) into Scots Law as part of wider work to incorporate Human Rights Law into Scots Law; funding a post in Gender Equal Media Scotland to support gender-equal and gender-sensitive representation in media; funding research, managed by Zero Tolerance, to investigate and develop a model for a What Works? Gender Institute; Established the Gender Equality Taskforce in Education and Learning to implement policies to ensure that gender equality is further embedded in all aspects of education and learning.
9. A model for the creation of a Gender Beacon Collaborative has now been agreed and will bring the Scottish Government together with organisations from the third sector, other public bodies and businesses to work collaboratively to implement gender equality policies in their organisations and record learning for future organisations.
10. In 2019 the NACWG focused on [Policy Coherence](#) publishing its second year report on Policy Coherence in January 2020. The Scottish Government response, published in December 2020, accepted all recommendations directed at the Scottish Government including: establishing a Senior Officials and Leaders Group for the express purpose of ensuring intersectional gender-competent policy coherence across Scottish Government's policy development; creating of 'Policymakers National Standards' to support quality standards and accountability on intersectional gender competence in policy-making. Scottish Ministers delivering an Annual Statement, followed by a debate on Gender Policy Coherence to the Scottish Parliament. Create a genuine effort in coproduction of policy-making with evidence of lived experience at its heart. Ensure adequate resourcing to enable the collection and analysis of robust intersectional data.
11. We are undertaking preliminary work to generate an implementation model for these ambitious recommendations as part of the Scottish Government's 2020/21 Programme for Government commitment to develop a renewed mainstreaming strategy.
12. In 2020, due to the COVID pandemic, the NACWG switched to an entirely digital strategy. The NACWG already understood the unequal impact of crises on women and girls based on previous evidence and that more than ever their topic of exploration in 2020 was crucial in helping to address this going forward. In place of in-person events, with speakers to help inform and table discussions to debate, they developed a digital package of engagement that included a dedicated page on their website with written, visual, webinar, and podcast content, along with Easy Read support. They surveyed the whole of their Circle, encouraged them to undertake virtual Annual Topic Circles with their organisations, and took forwarded targeted engagement to ensure they heard from particular communities. Already having a

firm digital infrastructure allowed for the switch from in-person to digital to be taken forward seamlessly. The dynamic response of the NACWG to the pandemic enabled the timely publication of the third report on Creating an Intersectional Gender Architecture on 26 January 2021²³. We welcome this report and will provide a substantive response in due course.

13. The NACWG also concentrated on widening the conversation and engaging with those that might not necessarily be involved in the gender equality debate, or have an understanding of the complex impact of gender inequality. Running in tandem to their core strategy the NACWG have a digital one that reaches out to the public of Scotland (and beyond) to explore issues that affect women and girls. They seek feedback and encourage people to do this in groups in what they call a Spotlight Wee Circle, to spread awareness of the complexities of gender inequality and normalise this type of conversation amongst the general public. The NACWG²⁴ believe that their digital channel is a key aspect to changing attitudes and culture change.

18. WIDER CROSS-CUTTING POLICY INITIATIVES

Housing

1. In response to the coronavirus pandemic, the Minister for Local Government, Housing and Planning reconvened the Homelessness and Rough Sleeping Action Group (HARSAG) to recommend the additional actions needed to tackle and prevent homelessness during and after the pandemic. HARSAG members consulted with a range of stakeholders, including organisations representing people with one or more of the protected characteristics, prior to drafting their recommendations and publication of their report in July 2020. In October 2020, jointly with COSLA, we published the [Ending Homelessness Together Updated Action Plan](#). The updated action plan was revised following the HARSAG recommendations. The action plan sets out how national government, local government and third sector partners will work together on our shared ambition to end homelessness in Scotland.
2. Equality underpins the action plan and is reflected throughout. For example, it reflects that the biggest difference between men's and women's homelessness is the impact of domestic abuse, which is the most common reason for women making a homelessness application. We are therefore working closely with Scottish Women's Aid and the Chartered Institute of Housing as they jointly chair a working group to identify ways to achieve better housing outcomes for women and children experiencing domestic abuse.

23 [2020 Report and Recommendations](#)

24 [First Minister's National Advisory Council on Women and Girls \(onescotland.org\)](https://www.onescotland.org)

19. ADULT SUPPORT AND PROTECTION

1. Guiding principles of the Adult Support and Protection (Scotland) Act 2007 include taking into account an individual's abilities, background and characteristics (including their age, sex, sexual orientation, faith and belief, race and cultural and linguistic heritage).
2. A survey of Adult Support and Protection Committees has been commissioned to understand the impact of the COVID-19 pandemic on service users and services, to assist in future planning and for ensuring underlying principles are upheld.
3. Scottish Government Mental Health and Social Care Directorate committed to co-production in the Reform of Adult Social Care Programme by supporting the establishment of the People-led Policy Panel, a diverse group of people with protected characteristics from across Scotland with lived experience of adult social care support.
4. The Panel worked with Scottish Government, COSLA and the social care sector to co-produce the Reform of Adult Social Care Programme launched in June 2019. The Panel is central to our work in ensuring that the views, experiences and expertise of people with protected characteristics who use social care support and carers are at the heart of decisions that are made about adult social care policy. We published the co-produced Reform Programme documents in Easy Read and British Sign Language (BSL).

20. SOCIAL CARE

1. In recognition of the importance of flexibility during the COVID-19 pandemic to enable good outcomes for people who use social care support, including disabled people and older people and others with protected characteristics. Stakeholders were involved in the development and publication of the Self-Directed Support COVID-19 guidance for Local Authorities, Health and Social Care Partnerships and social care providers²⁵ to support local social care systems and services to continue to respond appropriately and flexibly during the pandemic. This is accompanied by an FAQ for supported people on the Social Work Scotland website.
2. In August 2020, the Cabinet Secretary for Health and Sport extended funding for the Support in the Right Direction programme with an additional £2.9 million of Scottish Government backing. This helps ensure that people accessing and managing their social care across Scotland can continue to access organisations who provide information, advice and advocacy.
3. An overview of the range of poverty and equality impacts evidenced in relation to the complex range of measures as Scotland moved out of lockdown was published in July 2020. This overview set out the need to ensure that due regard has been given to the three needs of the Public Sector Equality Duty and provided a [summary of evidence](#) to help inform impact assessments for measures which collectively form the route map out of lockdown.

25 [Self-directed support guidance](#)

21. INVESTMENT

1. The Scottish Government recently published its Inward Investment Plan, Shaping Scotland's Economy. The Plan sets out a change in approach to inward investment policy focused on nine opportunity areas where Scotland can not only demonstrate strong international comparative advantage mapped to strong global demand, but which also yield greater "spillover" benefits into the Scottish economy (supply chain benefits, spending on R&D and regional impact) and which align with Scotland's values of Fair Work, Net Zero and **Sustainable and Inclusive Economic Growth**.
2. The aim of the Plan is to change how and where we focus public resources to increase the benefits that Scotland's people and economy derive from inward investment, essentially using inward investment as a tool to benefit wider Scottish society. To fulfil the requirements of the Equality Impact Assessment process, we have taken a new approach, in consultation with Mainstreaming Equality, whereby a high level strategic document has been produced setting out the direction Scotland will travel in attracting inward investment, and setting a framework for the development of further impact assessments should these be required as specific policy proposals outlined in the Plan are developed and implemented.

22. REFUGEE AND ASYLUM SEEKERS

1. The Scottish Government is working in partnership with COSLA and Scottish Refugee Council to support refugees, people seeking asylum and our communities through the pioneering and collaborative approach of the New Scots refugee integration strategy. The current strategy runs from 2018-22, with the key principle that integration begins from day one of arrival, and not just when leave to remain has been granted.
2. The New Scots strategy placed Scotland in a strong position to respond to the humanitarian crisis arising from the conflict in Syria, enabling refugees to quickly be resettled following the announcement of the UK Government's Syrian Resettlement Programme in October 2015. Over 3,500 refugees have since been welcomed into communities across all 32 of Scotland's Local Authorities under the Syrian programme and the Vulnerable Children's Resettlement Scheme.
3. The Scottish Government and COSLA have been working together to develop an anti-destitution strategy covering people subject to No Recourse to Public Funds (NRPF) restrictions. We undertook engagement with stakeholders and people with lived experience during 2019 and early 2020 to inform the strategy, and following the outbreak of the COVID-19 pandemic, we focused on the provision of immediate support for essential needs to ensure people remained safe during the public health emergency. The anti-destitution strategy is due to be published in 2021.

PART 2 - MAINSTREAMING: SCOTTISH GOVERNMENT AS AN EMPLOYER

1. Our strategic approach

1. Our ambition is to be a world-leading, diverse and inclusive employer where people can be themselves at work. We are committed to building a workforce of people with a wide range of backgrounds, perspectives, and experiences, who are valued for their unique contributions in an environment that is respectful, supportive and free of discrimination, harassment or bullying. The development of this ambition was guided by the National Performance Framework, which aims to reduce inequalities and give equal importance to economic, environmental, and social progress.
2. The Fair Work agreement Scottish Ministers signed with recognised civil service trade unions in 2018 set out a range of principles regarding the conduct of employee and industrial relations in line with the principles of the Fair Work Convention's framework. In our own employer context this captured existing commitments and work underway on HR policy, diversity and inclusion and has been used to encourage bodies to align approaches.
3. Over the past two years, our strategic equality outcomes have continued to drive changes to what we do and how.
 - Outcome: Our workforce increases in diversity to reflect the general Scottish population by 2025.
 - Outcome: Foster an inclusive workforce culture and value the contribution of employees from all backgrounds.
 - Our approach is characterised by these principles:
 - making diversity and inclusion a **strategic priority** within all of our People Directorate work;
 - being **evidence-led**, gathering, improving and analysing data, both quantitative and qualitative to inform and target our action and evaluate our impact;
 - being open to trying new and innovative approaches and building on our **learning**;
 - working collaboratively with our **diversity networks** in particular so that lived experience and insight enrich our work and enables it better to meet needs and that employee voice;
 - taking a **whole systems approach**, recognising that to make difference we need to work at individual, team, organisational and national levels.
4. We have applied these approaches in two ways. Firstly, we have sought to embed equality and deliver on our outcomes generally across all our people-related systems, policies, processes and functions. Our corporate approach in providing policy, guidance and support for staff helps to ensure that expectations of behaviour are set and align with our aims to embed our commitments to diversity and inclusion. Secondly we have developed targeted, protected characteristic-specific activity to drive change at pace where needed: race and disability. Our plans to advance race and disability equality align to wider Ministerial policy commitments and respond to the internal evidence around where significant inequalities lies. However, we recognise that inequalities in outcomes exist for other groups particularly in relation to inclusion and through our person-centred approach. This played an integral role in shaping our COVID-19 response. Through our communications strategy to amplify a

range of perspectives and our efforts to hear diverse voices in our decision-making, we have sought to understand and meet the diverse needs and concerns of our workforce at this extraordinary time.

5. We also recognise that we cannot drive change solely by policies, guidance and processes from the corporate centre: there is also a personal responsibility which staff should be mindful of, to model appropriate behaviour and further our corporate aims. What matters is what people see and feel around them on a day-to-day basis.
6. This happens in two ways. Firstly, efforts to understand local Directorate or even team contexts and respond with local action, in pursuance of our vision for diversity and inclusion. Secondly, through the activity of our staff diversity networks which offer rich and valuable spaces of peer support, promoting understanding and are central to how we are building a sense of belonging – a core aspect of inclusion.
7. Cutting across all these areas is a maturing communications approach which aims to tailor and target specific audiences as needed, but also to thread diversity perspectives and experiences subtly across our communications.
8. We are in the process of drawing together all our developing approaches and Diversity and Inclusion (D&I) priorities for the organisation as an employer, which will be shaped by and support the embedding of the equality and human rights mainstreaming strategy (a commitment made in Scottish Government's Programme for Scotland 2020-2021). We have undertaken a wide range of consultation across the organisation, with 1,130 employees participating in a Diversity and Inclusion survey in summer 2020 and around 200 employees sharing their perspectives and lived experience of equality in online focus groups. We have used the findings, together with other sources of qualitative and quantitative data to refresh our equality outcomes for 2021-2025.

Our priorities for the next four years include:

- Diversity and Inclusion Strategy
- Delivering the Disability Recruitment and Retention Plan 2019
- Delivering the Race Recruitment and Retention Plan 2021
- Diversity & Inclusion Curriculum including role-specific curriculums
- Embedding the recently established Diversity and Inclusion Governance Group
- Mainstreaming equalities into corporate policy and service development
- Increasing using of D&I data as key indicators of business performance.

2. CORPORATE ACTIVITY

Embedding equality in our COVID-19 response

1. Our COVID-19 response for employees was informed by a protocol developed in consultation with trade unions early in the pandemic. This informed the way a range of HR policies have been revised during the current pandemic and provided an opportunity to ensure our equality impact assessments were embedded in our approach.

Improving Equality Impact Assessment (EQIA) within People Directorate

2. We quickly recognised that the fast thinking and quick decision-making called for, particularly during the early days and weeks of the pandemic, could increase the likelihood of bias: good quality equality impact assessment was essential. The Diversity and Inclusion Team implemented a project with the aims of:
 - Increasing confidence and knowledge of practically applying the EQIA process
 - Enabling peer to peer learning in an informal and safe environment
 - Increasing the number of EQIAs published and in process
3. We started by reinforcing strong senior commitment to completing EQIAs, developing a directorate-wide EQIA tracker and securing quarterly monitoring of the tracker at senior management People, Performance & Finance meetings. This tracker also captures key lessons learnt and reflections on the knowledge gained throughout the process, to enable a process of continuous improvement.
4. While awareness of the need to do EQIAs was high, and being encouraged by senior colleagues, confidence and experience were low. Colleagues from People Directorate with prior experience of EQIAs and the Equality Mainstreaming team therefore collaborated to develop and deliver a programme of upskilling, which was sponsored by the People Directorate Senior Management Team, to help People Directorate colleagues undertake EQIAs confidently.
5. We also developed resources such as an equality self-reflection guide to support leaders and managers to think about their decisions relating to people (recruitment, promotion, performance appraisals, leadership) from an inclusion perspective. We produced evidence packs drawing together Scottish Government employee diversity data (qualitative and quantitative) from a range of sources with research and guidance on the differential impact of COVID-19 on equality groups in the workplace. These were shared widely but particularly with People Directorate colleagues to support them in embedding equality considerations into the COVID-19 organisational response.
6. One key EQIA has been on the impacts of prolonged remote working and new safe and secure workplace arrangements on Scottish Government staff in the context of COVID-19. The EQIA identified positive impacts for employees who shared protected characteristics such as age (older employees), disability (those with underlying health conditions) and sex (men) and recognised the potential for the context to support inclusion for many. However, it also recognised the potential for negative impacts on certain protected groups such as the impact of isolation on staff mental health; the challenge of balancing home working and home-schooling, disproportionately affecting women; reduced access to networking and development opportunities, indirectly impacting underrepresented groups in our workforce; potential for

increased experience of domestic abuse or abuse towards employees isolating with unsupportive families (affecting LGBTI+ employees). Understanding these impacts has led to a range of changes to policies, services and communications to support staff, set out below.

3. TAKING A PERSON-CENTRED APPROACH

1. We recognised that individual circumstances would inform the response and support needed for each staff member, underpinned by flexible policies. Conversation templates were developed to help surface individual pressures and risks between the individual staff member and their line manager, alongside tools developed by Scottish Government for employers. This inclusive approach enabled concerns to be surfaced and responded to, supported by Health and Safety and HR colleagues and through engagement with recognised trade unions.

4. ADAPTING HR POLICIES TO MEET NEEDS

1. We altered a range of policies, for example relaxing flexible working hours beyond the current 7am-7pm whilst retaining a strong focus on wellbeing. We took into account the needs of carers and parents and enabled flexi updates or special leave so that those people were not disadvantaged by additional responsibilities.
2. We also recognised that some employees were living in unsafe home situations and enabled those experiencing difficult domestic circumstances or poor mental health as a result of lockdown to use our buildings.

Other examples include:

- Provision of full sick pay where staff are absent as a result of COVID-19, and discretion to extend sick pay for period of time, on a case by case basis where staff remain absent because planned treatment has been paused due to a disruption to services.
- Making provision for attendance management and performance management during COVID-19 including policy position on absence management triggers (and pay) and new light-touch performance management approach.
- How we have responded to the pandemic and the changes it has called for to policy and working practice has challenged some previous assumptions about working from home and will have a lasting impact on how we work in the future.

5. PROVIDING RESOURCES, ADVICE AND WELLBEING SUPPORT

1. We created significant resources to support staff wellbeing, mental health and learning and development, including packages aimed at all staff and line managers to support working and leading others through coronavirus. We support heating / lighting costs provided through a direct payment in exceptional circumstances upon request upon evidence of hardship. And we increased the number of wellbeing counsellors available to staff, trained them in cultural awareness to enable them to understand and meet the needs of a diverse workforce, and ensured that our Employee Assistance Programme offered the option to choose a counsellor from diverse backgrounds.

6. BUILDING EMPATHY AND STRATEGIC LEADERSHIP THROUGH MUTUAL MENTORING

1. Our mutual mentoring programme is a combination of *traditional mentoring* (developmental or sponsorship, to support career development) and *diversity mentoring* where junior colleagues from diverse backgrounds help those in senior roles understand different perspectives and experiences in the workplace. Both parties bring different experience and there is an **equal exchange** of learning.
2. When the coronavirus pandemic took hold, we recognised that given the evidence around the disproportionate impact of COVID-19 on minority ethnic groups, offering senior leaders the opportunity to hear directly from people with lived experience was an important and “human” way to raise awareness and understanding. It also provided minority ethnic colleagues with a space to raise their voice and be heard. We partnered 66 minority staff and senior leaders who met monthly over a period of 6 months, and we provided structured development opportunities (including a session featuring a representative from the European Mentoring and Coaching Council) and social events to build networks and a sense of belonging.

7. REFLECTIONS FROM A MUTUAL MENTORING PARTNERSHIP

- *“The mutual mentoring has been a very valuable experience so far. I was not only able to discuss my learning and development needs but also able to openly and confidentially share my experiences of being in the Scottish Government. Our mentoring relationship is mutual, open and trust worthy’ As a result of this, I am now more proactive in contributing to various team improvement activities and tasks. I am also feeling more passionate about contributing my part in making the Scottish Government a more diverse and inclusive organisation.”*
Shakeel, minority ethnic partner
- *“I have found this experience very valuable. It has educated me; has exposed me to new thinking which I have found triggered other thoughts and reflections. Hearing my mentor’s stories of times when he felt he was being discriminated against were interesting and alarming in equal measure. It has crystallised in me a desire to actively promote diversity in my Directorate. I have now created a bespoke slot at our Division-wide meetings where we discuss D&I. I have also been much more sensitive and alive to potential diversity issues in my own Division.”*
Denise, SCS partner

8. RACE RECRUITMENT AND RETENTION ACTION PLAN 2021

1. The Scottish Government [Race Recruitment and Retention Action Plan](#), launched in February 2021, sets out the action we will take to deliver on our vision to be a world-leading diverse and inclusive employer, where racial equality is achieved. Through this Plan we aim to deliver on our corporate target in respect of race to be representative of the Scottish population by 2025.
2. Whilst we have made clear gains in terms of representation and inclusion, inequalities remain when it comes to race. An anti-racist approach sits at the heart of the development and delivery of this Plan. This means that:

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3. We recognise that there is no such thing as a race-neutral policy, and that every people policy or decision we make has the power to create racial equality or inequality for our employees.
 4. We are focused on changing systems, organisational structures, policies and practices and attitudes, so that power is redistributed and shared equitably.
 5. The Plan was developed in partnership with the Council of Scottish Government Unions and in collaboration with our Race Equality Network and external race-focused organisations. Most importantly, at the heart of the Plan are the voices and views gathered through wide engagement with minority ethnic employees in Scottish Government.
 6. The Plan is built around five priorities focused on the whole system, aiming to redistribute power, increase accountability and bring about cultural change. Our immediate priorities are establishing effective governance to oversee the implementation of this Plan and equipping our work force at all levels to understand their responsibilities and take effective action to advance race equality. In particular we will seek to normalise race as part of our workplace conversations, in a way which is safe and respectful to create a shared language to discuss racial equality and inclusion.

9. RECRUITMENT AND RETENTION PLAN FOR DISABLED PEOPLE 2019

1. The [Recruitment and Retention Plan for Disabled People](#) was published in 2019, setting out the actions we would take as an employer to support more disabled people into work in Scottish Government and to enable existing disabled employees to thrive and succeed at work. It was developed in partnership with the Council of Scottish Government Unions, with advice and insight from Disabled People's Organisations and, importantly, through dialogue and engagement with disabled people who work for the Scottish Government.
 - The Plan set four outcomes across increasing representation of disabled people, building an inclusive culture, improving policies and practices and creating accessible workplaces.
 - Unfortunately, significant progress was hampered by the outbreak of the coronavirus pandemic which resulted in the majority of the action owners being re-aligned to urgent duties in support of the Government's response.
 - However, we have made progress with areas of the Plan, most notably on workplace adjustments and enhancements to our Senior Civil Service recruitment processes and materials.
 - For workplace adjustments (Outcome 4 of the Plan - We create accessible workplaces where everyone can thrive at work) we reviewed our approach to and piloted a new approach to how we managed related requests for adjustments received through our HR online service. The pilot is now drawing to an end and we will look to fully implement the new approach, which follows the social model of disability, this year. Further details of this are provided below.

- For Senior Civil Service recruitment we are piloting a range of enhancements to our processes and materials and a newly developed leadership criteria to support inclusivity.
- In addition to the above, we have ensured that the Plan's principle of advancing disability equality and inclusion was a core aspect of our response to the COVID-19 pandemic which presented opportunities to drive improvement, for example in relation to taking a person-centred approach to communications. Further details of the progress made are set out across this document.
- Overall, progress continues to be made towards the Scottish Government becoming a more diverse workforce that is representative of Scotland's population. Using data for Scottish Government core²⁶ as of September 2020, 12.9% of those in the Scottish Government workforce who chose to share their personal information were disabled. This has increased from 6.3% in September 2013. Scottish Ministers remain committed to achieving a representative Scottish Government workforce by 2025, which would mean 19% of the workforce being disabled.
- As part of this commitment, Scottish Ministers have set a target for the Scottish Government workforce regarding the proportion of disabled people recruited through external campaigns: currently 25%²⁷. This was based on the assumption that we would undertake large-scale, external, co-ordinated recruitment exercises but these have reduced since 2019 – recruitment of disabled staff for Scottish Government core peaked at 21.0% in 2018-19. In the most recent financial year for Scottish Government core, 2019-20, recruitment of disabled people fell to 13.9%. At this time, Ministers are currently reviewing the equality outcomes for the Scottish Government as an employer as part of the Equality Outcomes and Mainstreaming reporting process and new outcomes will be set in March 2021. Following this, a review of the disability recruitment target will take place based on complete 2020-21 data, which will also take into account the impact of COVID-19 on recruitment patterns during this period.
- We recognise that to deliver on our recruitment ambitions we will need to do things differently, at pace and at scale. We are currently investing in senior capacity and skill within our resourcing team to drive forward the required changes across our Band A-C recruitment. For Senior Civil Service (SCS) recruitment we will continue to evaluate the impact of the improvements we are piloting as previously referenced.

26 It should be noted that the data presented in this section refers to Scottish Government core only, in keeping with the data and methodology used to produce the disability target.

27 For Scottish Government core based on Scottish Government core data.

10. DEVELOPING A NEW WORKPLACE ADJUSTMENTS SERVICE

1. Work is well under way to develop a new workplace adjustments service, which follows the social model of disability, by April 2021.
2. To date the project team have coordinated workplace adjustments for more than 50 new recruits and the feedback from both new staff and line managers has been overwhelmingly positive. The team are creating a team manual to set out processes and to ensure a consistency of approach and decision-making, while ensuring a tailored service to meet individual needs. The focus is on learning with the experience of every new case feeding into the continuous improvement and development of the manual on an ongoing basis.
3. The team focuses on fostering good relations between new starts and line managers through providing a named point of contact for the new start, who deals with the case until completion. The emphasis is on early, direct and open communication.
4. The project team undertook an EQIA early in the process to ensure its work is both research-based and user-led, and the service design is heavily influenced by the previous internal research on the experiences of disabled staff in Scottish Government in recruitment, retention and progression. Listening to staff in an open and continuous way is a core principle of the project team's approach, engaging both internally with our Disabled Staff network and externally with organisations such as the Business Disability Forum, the Workplace Adjustments Network and the Public Sector Partnership.

11. INCREASING DIVERSITY THROUGH RECRUITMENT

Permanent recruitment

1. We have set targets on the flow of minority ethnic people and disabled people into the Senior Civil Service (the four senior leadership grades for the civil service).
 - For ethnicity: 4% of new starts will be minority ethnic for the period 2017-2020 rising to 6% by 2025.
 - For disability: 7% of new starts will identify as disabled for the period 2017-2020 rising to 13% by 2025.
2. Further detail on the enhancements we have introduced, or are currently piloting for SCS recruitment include:
 - Improving our marketing and candidate packs to ensure inclusivity and provide more guidance to candidates on the selection process;
 - Trialling name-blind sifting to test if this improves diversity of sifts and are reviewing the results, and we are trialling the removal of appraisals from internal recruitment;
 - Implementing a core common set of leadership criteria with specific behavioural indicators, to improve consistency of decision-making;

- Improving guidance and training for panel members and “diverse panel members”²⁸;
 - Implementing a single point of contact for reasonable adjustments;
 - Establishing a central list of potential candidates interested in job-share to facilitate matching;
 - Developing guidance for job-share applicants and panel members; and
 - Reviewing the Expression of Interest advertising and selection process, assessing if a more formal, and longer, process is required to meet diversity goals.
3. Further improvements planned include establishing a permanent online presence with clear, honest and diverse perspectives on the experience of life in SCS; investing in analytics to capture a greater range of data on each campaign; and working with our suppliers to explore potentially less subjective assessment methods in order to reduce the current prominence of performance at interview as the deciding factor in appointments.
 4. For A-C recruitment, 2020 had two campaigns run to recruit 50 C1 posts and 50 B2 posts working with the UK Civil Service Government Recruitment Service. As part of this we engaged our internal diversity networks to increase the diversity of assessment panels, and implemented our recruitment outreach plan. This plan included over 150 third sector organisations covering a range of equality areas and helped us maximise our opportunities to market Scottish Government and reach the best available talent.

12. INCLUSION SCOTLAND INTERNSHIPS

1. The Inclusion Scotland Internship Programme is delivered by Inclusion Scotland and funded by the Scottish Government to create 30 internships for disabled people per year across the Public Sector and Scottish Government, in line with the Scottish Government’s [A Fairer Scotland for Disabled People](#) Delivery Plan.
2. The results of this programme are positive with over 65% of our interns gaining employment within the Scottish Government after their placement and over 85% moving from being under or unemployed to finding permanent paid employment in careers in fitting with their aspirations.

13. PUBLIC APPOINTMENTS

1. A public appointment is a Ministerial appointment to the Board of a public body. A public body is an organisation created by the Scottish Government or Scottish Parliament which receives all or most of its funding from the Scottish Government. Public bodies deliver the priorities of Ministers or the Scottish Parliament through the delivery or scrutiny of services or by providing impartial expert advice on a specific topic.
2. To reduce the barriers that disabled people face, Inclusion Scotland and the Public Appointments Team delivered a Scottish Government-funded shadowing placement pilot project, Access to Public Appointments, from September 2019 to September 2020. Six disabled people had the opportunity to shadow six regulated public body Boards, learning and actions from this work will be put into practice in 2021.

²⁸ A “diverse panel” is defined as one which includes either a ME or disabled panel member. While we endeavour to ensure diversity within the core panel we sometime use “diverse panel members” as additional panel members where this is not possible.

3. To develop the pipeline of Board Chairs from current appointees from under-represented at chair level, the public appointments team together with Ethical Standards Commissioner ran a future Chairs mentoring project from August 2019 to November 2020. During this 12 mentors from the Chair cohort mentored 12 people from the Board members cohort from across the public bodies sector.
4. Targeted outreach and engagement has been undertaken working with individuals from a black and minority ethnic background who are currently underrepresented on public body Boards. A workshop was held in November raising awareness of public appointments with a further workshop planned with the cohort to talk through the application process. The Public Appointments Team and the Sponsor for Access to Justice have also been collaborating with Fair Justice System for Scotland Group who are focused on increasing the number of black and minority ethnic people in Scotland's justice system.
5. Diversity and inclusion is an integral element of the planning for all appointments and targeted engagement and communications seeks to address underrepresentation of particular characteristics on each Board. As a result we have seen improvements in the rate of applications from people from an ethnic minority background, disabled people and people under 50. The most significant improvement we have seen is that women now make up 50% of public appointees, up from 46% in 2017.

14. DIVERSITY AS A DRIVER FOR THE BEST TALENT

1. Actively managing talent from underrepresented groups is key to our diversity goals. In collaboration with our Race Equality Network, the Talent team ran a series of career development workshops for Band C, exploring aspirations and potential and providing insight into the SCS. This included role model discussions with those already in the SCS and workshops were followed up by the offer of one-to-one career conversations with the talent team (eight individuals took up this offer). We will continue this engagement to identify minority ethnic and disabled individuals who would be credible successors for existing SCS roles, and identifying development support for those who are nearly there.
2. This activity is running alongside and contributing to work to develop a specific talent development offer for diverse colleagues in Bands B and C.
3. We ensure Talent Boards maintain a close focus on the progress and potential of staff from underrepresented groups. We are now asking SCS to self-identify their diversity data for the purposes of talent management to help us target activity towards underrepresented groups.

4. POSITIVE ACTION: OUR FUTURE LEADERS CONFERENCE

1. In November 2020 we again held our Future Leaders Diversity Conference, this time completely virtually. This positive action event is designed to increase awareness of the GDP and Civil Service Fast Stream with people who identify as disabled, minority ethnic or having experienced social or economic disadvantage.
2. Visible leadership to reinforce our commitment to diversity was a feature throughout. The First Minister and the Permanent Secretary recorded strong messages emphasising that diversity is central to what we do. Contributors, including senior leaders, were involved in the design of the event and were encouraged to speak openly about their own experiences to bring authenticity.
3. Our continued engagement with external organisations such as Inclusion Scotland, CEMVO and Widening Access Teams, along with feedback from the 2018 conference, was invaluable in shaping our approach to outreach and marketing this time. As a result a range of improvements were introduced in the approach to 2020:
 - Engaging our internal diversity staff networks at an earlier stage to gain input on the design of each stage of the project (marketing, selection and event design).
 - Implementing a single point of contact and clear guidance on requesting an adjustment to attend the conference (having worked successfully during the GDP 2019 campaign).
 - Increasing the focus on application process for graduate recruitment campaigns and understanding more about the structure of the programme and what's involved.
 - Emphasising on the importance of matching delegates with an Scottish Government buddy and developing a more substantial relationship with buddies meeting at least three times (the 2018 buddy day received the most positive feedback across the three-day event)
4. Delivering the event entirely virtually was a steep learning curve but we maximised the opportunities this presented to increase access to the programme not only for disabled people but those with childcare/caring responsibilities and those in formal education settings. We therefore worked with an external organisation to embed accessibility features in the design of the virtual platform and all sessions were recorded which meant delegates could access them multiple times, in their preferred environment and at their own pace for their learning needs. We also engaged individually with delegates to understand and meet the needs of delegates for whom a digital delivery mode presented barriers.
5. Overall, the feedback from participants was extremely positive (see delegate quotes below) and we increased the maximum number of attendees from 40 (in 2018) to 65. 34% of delegates identified as having experienced social or economic disadvantage, 40% identified as minority ethnic and 34% identified as having a disability (with 8 candidates identified with more than one characteristic).
 - *"The highlight of the week for me is just generally feeling so welcome to apply. I got emotional when people were discussing their health issues, I could relate and it has made me see so validated in myself. I am so encouraged to apply and it has confirmed the passion I thought I had to work in government. Thank you all so much!"*
 - *"I feel like it has encouraged me that I can apply with chronic health issues and that there are adjustments that can be made for me. Thank you for all your work, I've found the conference so useful!"*

THE GRADUATE DEVELOPMENT PROGRAMME

1. Our Graduate Development Programme is a firm feature of our goal to build a strong and diverse talent and leadership pipeline and since its launch in 2017 we have been continuously learning and improving our approach. In our last report we described action we were taking to invest in our future talent pipeline and increase the diversity of the applicant pool for Graduate Development Programme 2019. We can now report on the impact of our approach:
 - 55% of applications received were from female applicants (increase from 51.96% in 2017).
 - Over 300 applicants identified as minority ethnic. Minority ethnic candidates made up 10% of those invited to assessment centre and the percentage of candidates identifying as minority ethnic in the final cohort was greater than the Scottish population average and an improvement on 2017.
 - Disabled candidates made up 51.8% of those invited to the assessment centre and 62% of those that were selected for the final GDP 2019 cohort.
 - LGBO candidates made up 20.5% of those invited to assessment centre and 33% of those that were selected for the final cohort.
2. To market the 2021 campaign we took a more targeted approach, focusing on social media and direct engagement with diversity-focused organisations and universities. We have further developed and redesigned the selection process to ensure suitability in a virtual environment and mitigate any risk of adverse impact on the diversity of the applicant pool, and have increased the 2021 cohort size to 30 (+50% on previous intake) to create more opportunities for candidates to join the programme and increase the supply of high quality B-Band talent to the organisation.

ENSURING WE HAVE THE CAPACITY AND CAPABILITY TO DELIVER

1. We understand that to become a world-leading, diverse employer we must invest sufficient resource and treat diversity and inclusion like any other business imperative. We are doing this by increasing the size of the Diversity and Inclusion team and increasing collaborative working across HR, focusing particularly on Diversity and Inclusion. This included investing in additional resources in teams across all four People Directorate divisions to ensure the teams have the right capacity and capability to embed D&I and drive the improvements we need to see.
2. Building the capability of employees to understand their rights and responsibilities under the Equality Act 2010 and to take effective action is an important employer duty and core to achieving our organisational vision on diversity and inclusion. In addition to existing e-learning products across a wider range of equality, diversity and inclusion topics, we have provided Diversity and Inclusion awareness raising workshops for different directorates across the organisation at team meetings, away days and conferences.

3. We are currently developing a new Diversity and Inclusion curriculum and accompanying promotional campaign for colleagues in response to their feedback. This will cover a broad range of topics, including inclusive culture, inclusive leadership and inclusive hiring and be delivered in a range of formats. We will also start to develop role-specific Diversity and Inclusion curricula for specific employee groups covering leadership, inclusive culture and specialist learning on protected characteristics. We have also worked collaboratively with the Scottish Trans Alliance to deliver trans inclusion awareness sessions for communications and HR employees as well as for employees who have lived experience.

WELLBEING STRATEGY

1. Wellbeing is about feeling good and functioning well, both at work and at home. Work to develop our strategy began before the pandemic and supporting wellbeing and mental health have been a key feature of our response to supporting colleagues as a result of the coronavirus pandemic.
2. To help develop our strategy we carried out research into organisational wellbeing during 2018/19 by engaging key networks and stakeholders. This strategy sets an ethos and parameters for how HR develops policy and guidance to ensure that wellbeing is considered a key factor in development of policy and organisational approaches.
3. Throughout 2020, this ethos drove adaptations to policy and practice including templates to guide monthly wellbeing conversations between employees and managers, and mental health guidance for line managers as well as HR practice and advice developed in response to the COVID-19 pandemic and more broadly.

ORGANISATION-WIDE ACTIVITY

Leadership, governance and decision-making

1. During 2020 a new directorate for Equality, Inclusion and Human Rights was established. This will accelerate the Scottish Government's work to tackle deep and longstanding inequalities across Scotland and demonstrates Scottish Ministers' commitment to strategic leadership on equalities. The new directorate will ensure equality, inclusion and human rights are at the centre, supporting the Scottish Government to achieve key outcomes in the National Performance Framework. The directorate will support work across all aspects of public policy development, help take forward the organisational vision to be a world-leading, diverse and inclusive employer, and support colleagues to challenge injustice and inequality. Critically, the new Director has joined the Scottish Government's Executive Team ensuring that equality, inclusion and human rights are at the heart of decision-making at the very highest level of the civil service structures within Scottish Government.
2. We have embedded inclusive leadership in the leadership development framework and curriculum, and made inclusive leadership part of the selection criteria for Senior Civil Service posts from June 2020.
3. At Corporate Board and throughout their work with our organisation our Non-Executive Directors (NXDs) act as critical friends and support diversity of contributions around the table. Through DG/NXD pairings there is an opportunity for ongoing support, challenge and guidance to the DG to support them in the delivery of their portfolio. Through each intake, we look to increase the diversity of our NXDs.

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4. Since 2018, each Corporate Sub-Board has had youth representation on People; Place; Performance and the Economy Boards. In 2019 the Place Board “recruited” board members from across different grades and roles who bring a range of diverse backgrounds.
 5. Across the wider public sector, the Public Appointments Team continue to learn from and build on work that saw us achieve gender balanced Public Boards in 2019. A reference group of currently serving minority ethnic board members is guiding action to tackle historic underrepresentation.
 6. We have also been working on how we ensure our facilitation practice for online team sessions and larger all SCS sessions is as inclusive as possible. This includes deliberately working with how systemic inequality shows up in group dynamics and how the methods and techniques commonly used in group process and business can both support and suppress participants’ involvement and sense of belonging.

DIRECTORATE-LEVEL ACTIVITY

Advancing gender equality in Science Technology Engineering and Mathematics (STEM)

1. Marine Scotland Science provides operational science advice and services for Scottish Government. There is distinct lack of gender diversity at senior grades.
2. In 2017, Marine Scotland Science signed up to the Athena Swan Charter, a framework to support and transform gender equality in higher education and research, providing a visible commitment to developing an inclusive culture that values all staff.
3. The team undertook data-driven analysis, taking intersectionality into account, and identifying priorities and opportunities to improve diversity. The analysis identified key priorities including increasing the number of women applying for senior jobs, improving support for family leave, and increasing the number of women leading surveys on research ships. This work achieved the Athena Swan Bronze award in October 2019 and has a five-year action plan.
4. So far, written guidance has been developed to support existing policies on:
 - Gendered language in recruitment
 - Inclusive meetings
 - Family leave
 - Pathway for developing scientists in charge of surveys at sea
 - Working from home

The project is already having significant structural and cultural impact. For example, we have more women actively developing to become scientists in charge of research ship surveys and we’ll be reviewing our data regularly to measure progress, e.g. participation in influential committees.

LEADING BY EXAMPLE IN SCOTTISH PROCUREMENT AND PROPERTY DIRECTORATE

1. Scottish Procurement and Property Directorate (SPPD) are committed to advancing race equality and inclusion. A member of staff was freed up and tasked with developing an action plan, aligned to strategic priorities but responding to their local context, needs and opportunities. The action plan, developed in collaboration with a team of volunteers and approved by the senior management team, targets a range of actions to mark a step change in their ambition on ethnic minority talent attraction, recruitment and retention and they are already taking steps to build a more diverse talent pool, improve the recruitment process and foster an inclusive workplace. These include: using data to understand outcomes and direct action; increasing the diversity of panel members; training them in race equality awareness; and providing consistent feedback to candidates. Explicit actions are set for SCS to coach and mentor staff from ethnic minority backgrounds at all grades and for line managers to encourage staff to take this up. This is complemented by increased engagement with race as a topic in Directorate communications and continuing to develop an understanding of the culture in SPPD relating to race through staff engagement.
2. SPPD also use their national platforms to influence across the public sector, including race equality as an agenda item at the National Professional Practice and Development Forum (attended by all sectors) and dedicating a session at their National Procurement Conference to Scottish Government's Race Recruitment and Retention Plan.

GOVERNMENT LEGAL SERVICE FOR SCOTLAND – EMBEDDING DIVERSITY IN TRAINEESHIPS

1. Building on the impetus generated by their Taster Days aimed at underrepresented groups in 2018, GLSS set goals of increasing diversity, reducing barriers and building an inclusive process for their 2021 traineeship recruitment campaign. Diversity and inclusion was a central theme in the advert and the application, with explicit messaging around encouraging applications from underrepresented groups. Blind sifting and diverse assessment panels were implemented, as was a single point of contact for disabled candidates who made proactive contact to discuss needs and ensure they were met throughout the process. Careful thought was given to the format of assessment exercises and their impact on disabled candidates. A group exercise was not used for the 2021 process, in part due to feedback that participation in group exercises can have adverse impacts on the performance of candidates with some disabilities, including autism. Small numbers make analysis of diversity data difficult to quantify the impact of these changes, but this is not hampering efforts to continue to embed good practice.

STAFF NETWORKS – INSIGHTS, BELONGING AND VOICE

1. Thriving diversity staff networks are an important strand of our strategic approach, complementing corporate activity, offering rich insights and lived experience and building empathy and understanding in a way that mechanical levers such as policies and processes cannot. Each network champions the interests of a particular group of people. These include and go beyond the Public Sector Equality Duties protected characteristics. They are supported by a senior civil service diversity champion and an ally from the Executive Team. These people act as advocates, forge connections and support changes in the workplace to enable us to all be ourselves at work.

Supporting and shaping corporate delivery

2. Collaborative working with diversity networks has continued to be a feature of our work. For example, we introduced staff engagement panels for some of our SCS recruitment, with members drawn from our diversity networks: the Co-Chair of our Race Equality Network led the panel involved in the recruitment of the Director for Equalities, Inclusion and Human Rights. These panels provide a great opportunity for candidates to directly demonstrate their skill at engaging staff members. They involved candidates meeting with Scottish Government staff members and responding to questions from staff on topics related to the role for which they have applied.
3. This new approach offers a number of benefits:
 - Broadening assessment types for SCS campaigns allows for more rounded assessment and reduces reliance on performance at interview.
 - Staff engagement panels provide something close to a real-world assessment of leadership while still maintaining important aspects of consistency/comparability in assessment.
 - It also provides candidates with an insight into the organisation/the role, to help inform their own decision-making.
 - To date, staff participants have been supportive of the new approach and interview panels describe finding the output helpful. As the panels are new to Scottish Government, we will be monitoring the data from these and the impact will be examined as data becomes available.

INSIGHTS SHAPING OUR ORGANISATIONAL VISION

1. We recognise that to realise our ambition, diversity and inclusion must continue to shape our strategic organisational priorities. As part of the work to form the new Scottish Government organisational vision, we engaged with over 400 Scottish Government colleagues to develop a set of core Scottish Government values that explain who we are as an organisation and what we stand for. A guiding principle of this work was that our values represent the many different voices and experience that exist across our organisation and our staff networks have been closely involved. From this it was recognised that inclusion was a value held collectively across the organisation and this will be an explicit part of our core organisational values.

NETWORK-LED ACTIVITY

EU Nationals Network

1. The Network represents many immigration, personal and family circumstances, with over 450 members and a senior champion. It has been pivotal in amplifying messaging and organising events outwith the central belt including the Brussels office. It has an active social media presence and regular events.

Activities include:

- EU Exit guidance for line managers and staff.
- Immigration advice and Home Office sessions.
- Support for colleagues to apply for settled status.
- Testing the design of the Home Office Settlement Scheme.
- Communicating personal stories of its members and their positive contribution to Scotland.
- Advocating for better data collection on EU/EEA employees.
- Supporting communication for the 'Stay in Scotland' campaign.

Race Equality Network

1. The Race Equality Network (REN) is a voluntary staff association for ethnic minority colleagues or those interested in race equality. It has three strategic aims: increasing diversity in **recruitment, talent** and building a **flourishing environment**.
2. Over the last 18 months the membership of the network has more than trebled to over 180. Members are at all levels and in a range of roles. We have a senior level chair, Race Champions and a Director General Race Ally. Our Strategic Development Officer supports engagement with People Directorate on policy and guidance, and raises the profile and visibility of the network and members.

Activities include:

- Proactive response to the 2020 Black Lives Matter protests including working in partnership with People Directorate to share our Starter For Ten Race Plan which has now been subsumed into the Race Recruitment and Retention Action Plan previously mentioned.
- Ongoing events: conferences, informal discussion, significant dates, for example Black History Month and Eid.
- Mutual mentoring with senior staff.
- Joining assessment panels for major recruitment campaigns.
- Sharing lived experiences to increase understanding and build partnership across Scottish Government.

Scottish Government Socio Economic Diversity Network

The Socio Economic diversity network (SEDN) is committed to expanding the socio economic diversity of the workforce at every level within the Scottish Government. Members are at all levels and roles, with a senior chair and Director General SED Ally.

SEDN has four workstreams

- Promoting understanding and raising awareness of socio economic diversity: awareness raising and sharing evidence and research.
- Developing our evidence base: using People Survey results to gain a better understanding of the organisation; compare diversity and the use of evidence from other organisations and also how they collect and use evidence; expand data on the workforce and applicants.
- Recruitment, retention and promotion: exploring issues around the better collection of SEDN data at all stages of the career journey; gathering experiences from colleagues and exploring how different business areas outreach to promote applications from deprived areas/communities.
- Social Mobility Employer Index: the current Index the organisation is focussed on education in England. The network is producing a Scottish version and will test this with business areas to develop a corporate response.

STRATEGIC COMMUNICATIONS APPROACH

1. Internal communications have used a variety of channels to develop our equality narrative to engage a diverse audience while tailoring communications to specific audiences when required. This includes through Saltire (our intranet) news articles, Yammer (internal social media platform), and our Leadership Brief, a weekly update for senior leaders in the organisation.
2. Our focus in 2020 has been to showcase lived experience, often reflecting on current external events, in order to increase understanding and knowledge. This includes first-person pieces from staff across all grades. Senior leadership voices have also been a key feature either through sharing their own lived experience or as strong allies to protected characteristics. Our Permanent Secretary has spoken extensively across diversity and inclusion topics in her monthly vlog to staff. These have sometimes resulted in open and frank discussions between staff with the insights taken from this used to inform future communications
3. We continue to engage regularly with people who share protected characteristics, including regular contact with staff networks to share experience and gain insight and information. In 2020 we ran a series of articles around race issues in the context of the Black Lives Matter movement. These articles, which all featured lived experience and were informed by members of the Race Equality Network, aimed to encourage staff to join the Race Allies Network and have resulted in that network gaining more than 90 new members.
4. We have worked to prioritise inclusion in the way we communicate so that communication activity adheres to accessibility criteria. In addition, with the vast majority of the organisation working from home in 2020, we ran extensive coverage on how staff can best ensure every voice is at the virtual table, while ensuring our own virtual staff engagement sessions are inclusive to anyone who wants to take part.

EMPLOYEE EQUALITY INFORMATION

Our approach

1. Equality data management, analysis, and reporting is at the core of our commitment to evidence-based policy-making. We analyse data from a range of sources including our electronic HR system (e-HR) where employees can update their diversity information and our annual Civil Service People Survey, which helps us understand employees' workplace experiences. We recognise that individuals' experiences are shaped by their own diverse background and identities, and where possible we conduct intersectional analysis as well.
2. We are committed to evidence-based decision-making, increasing accountability for delivery on our D&I ambitions and increasing transparency to enable scrutiny of progress. In 2021 we will introduce a D&I Key Performance Indicator Dashboard to provide a snapshot of the Scottish Government's performance against specific measures of Ministers' main commitments in respect of equality as an employer. The Dashboard will complement a new annual D&I report we will also introduce in 2021.
3. The purpose of both publications is to:
 - Help the organisation understand where we are performing well against our D&I Key Performance Indicators (KPIs), where we have risks and challenges.
 - Encourage Directors General and Directors to discuss the key themes with their teams and identify what action they can take locally to support corporate driven activity.
4. Demand continues to grow at all levels of the organisation for reliable and accurate diversity data and information about the workforce to support change and improvement. In the short term, the focus is on making the most of existing data sources about the diversity of the workforce and presenting the analysis in timely and useful ways. However, important gaps remain in both data collection and data quality and planning is underway to address these in the longer term. For instance, options are being scoped currently to replace e-HR, which is the current data source for HR management information. Data and analysis will be a core consideration as part of these plans and will take into account diversity requirements.

Key findings by protected characteristic

1. Data reported below covers Scottish Government core departments, Executive Agencies and Non-Ministerial Departments, as detailed in the Employee Equality Data Annex which is published along with this report. Data drawn from the Scottish Government's HR system for calendar year 2020 goes up to the end of November 2020. This is because the analysis had to be carried out earlier than usual to meet the publication date. Similarly, the 2019 Civil Service People Survey is referred to throughout, as 2020 results were not available for external release at the time of producing this report.

Age: key findings

2. Staff under 30 increasingly comprise more of the organisation's workforce: between 2018 and 2020, the proportion of staff aged 16 – 29 increased from 15.2% to 16.5%. In previous years, staff under 30 were most likely to leave the organisation, with 36.1% of 2018 leavers aged 16 – 29, however this has dropped to 19.8% in 2020. This is in line with fewer temporary appointments coming to an end for younger staff in 2020. As in previous years, staff aged over 60 make up a significant proportion of leavers (27.4% in 2020), primarily due to retirement. Of the 2020 leavers aged over 60, 82.8% retired. Younger staff continue to have higher mean Engagement Scores in the People Survey. In 2019, respondents aged 16 – 29 had a mean Engagement Score of 71%, while those aged 50 or over had a mean Engagement Score of 66%.

Key findings by staff group

1. Women increasingly make up the majority of the workforce, comprising 53.5% of employees in 2018, and 55% in 2020. This split can be seen across A-C Pay Bands, however at SCS level, the majority of staff are men (55.7% in 2020). While the SCS gender gap was narrowing, it has remained broadly the same in recent years: 37% of SCS staff in 2013 were women compared to 44.3% in 2018, 44.9% in 2019, and 44.3% in 2020.
2. Regarding the 2019 People Survey, women had a slightly higher mean Engagement Score (69%) than men (67%). This is despite women continuing to indicate they have experienced higher levels of discrimination, bullying and harassment. In 2019, 9.7% of female respondents had experienced discrimination in the previous 12 months, compared to 6.4% of male respondents. Similarly, in 2019, 11.8% of female respondents reported experiencing bullying or harassment in the previous 12 months, compared to 8% of male respondents.
3. For the first time in 2019, there were enough responses to report on People Survey results for those who identify in another way. The Engagement Score for this group was significantly lower (48%) than those who identified as a man or a woman. Results were less positive for those who identify in another way across several other theme scores, however numbers remain too small to report on levels of discrimination, bullying and harassment within this group.

Ethnicity: key findings

1. Minority ethnic staff increasingly comprise more of the organisation's workforce, rising to 2.4% in 2020, compared to 2.1% in 2018. In particular, the proportion of minority ethnic staff has increased in 2020 across pay bands, with 2.7% of A band, 2.6% of B band, 1.8% of C band and 2.8% of SCS staff from minority ethnic backgrounds. The proportion of minority ethnic recruits was 3.3% in 2020, and has remained at around 3% since 2017. Between 2013 and 2019, there was a gradual improvement in the proportion of staff declaring their ethnicity on eHR, however the proportion of unknown records increased slightly in 2020 to 18.5% (up from 16.8% unknown in 2019). Rates of minority ethnic promotions have fluctuated over the past two years. Minority ethnic staff comprised 1.9% of promotions in 2019, bringing minority ethnic promotions in line with minority ethnic workforce composition, however the number of minority ethnic promotions in 2020 was too small to report. The data appears to show that minority ethnic staff on the whole receive less favourable appraisal markings than white colleagues: in 2020, 35.3% of minority ethnic and 53.9% of white staff received the two highest appraisals markings.

2. In the 2019 People Survey, the mean inclusion and fair treatment score for minority ethnic respondents was 83% positive, in comparison to 84% positive for white respondents. However, 11.9% of minority ethnic respondents reported experiencing discrimination in the past 12 months, an increase of 2.3% in comparison to 2018, and 3.7% higher than white respondents in 2019. In 2019, 10.7% of minority ethnic respondents indicated that they had experienced bullying/harassment in the previous 12 months, unchanged from 2018, and comparable to the proportion of white respondents reporting bullying/harassment in 2019 (10.3%).

Sexual orientation: key findings

1. The proportion of staff identifying as lesbian, gay, bisexual or other (LGBO) continues to increase, rising from 3.6% in 2018 to 4.6% in 2020. This increase can be seen across pay bands: in 2020, 4.8% of A band, 4.9% of B band, 4.2% of C band and 3.8% of SCS staff identified as LGBO. Higher rates of discrimination were reported by LGBO respondents in the 2019 People Survey (14.1%) compared to heterosexual respondents (7.8%). Although there is evidence of a gradual reduction in the proportion of LGBO respondents experiencing discrimination, it remains that those who identify as bisexual or 'other' consistently report higher rates of discrimination than gay or lesbian respondents: in 2019, 11% of gay or lesbian respondents had experienced discrimination in the previous 12 months compared to 18% of bisexual respondents and 16% of those whose sexual orientation was categorised as "other". In the same survey, 14.5% of LGBO staff (14.5%) experienced bullying or harassment in 2019, an increase of 1.8% on 2018, and 4.6% higher than heterosexual respondents. Those identifying as bisexual or other were again more likely (>20%) to have experienced bullying or harassment in the past 12 months.

Disability: key findings

1. The proportion of disabled staff in the organisation has increased each year, rising from 7.6% in 2018 to 8.7% in 2020. This increase can be seen across pay bands: in 2020, 10.1% of A band, 9.3% of B band, and 7% of C band staff identified as disabled. For the first time, the proportion of SCS staff identifying as disabled is large enough to be reported, reaching 5.2% in 2020. The proportion of disabled staff recruited into the Scottish Government was 14.7% in 2020, following a peak of 16.1% in 2018. In 2020, the proportion of disabled staff promoted was 14.9%, up from 10.1% in 2018. Disabled staff consistently receive lower appraisal markings than non-disabled staff. In 2020, 41.9% of disabled colleagues received one of the two highest appraisals markings, compared to 55.2% of non-disabled staff. In-depth analysis was conducted in relation to this finding and is discussed in more detail under **Appraisal Markings**.
2. People Survey respondents who declare a disability persistently report more discrimination, bullying and harassment than non-disabled respondents. In 2019, 16.5% of disabled respondents reported experiencing discrimination in the past 12 months, down from 19.3% in 2018, but still significantly higher than the proportion of non-disabled respondents in 2019 (6.2%). Further, 17.8% of disabled and 8.2% of non-disabled respondents reported experiencing bullying or harassment in the previous 12 months, in 2019. However, the mean Inclusion and Fair Treatment (IFT) score among disabled respondents was 78%, an improvement of 4% points on 2018, but still 8% points lower than the IFT score for non-disabled respondents.

Religion: key findings

1. Declaration rates for religion continue to improve, with the proportion of unknown records dropping from 30.8% in 2018 to 28.1% in 2020. Recruitment of staff from non-Christian faith groups has gradually increased, reaching 4.5% of recruits in 2020. However, this group has persistently received lower appraisal markings than Christian and non-religious staff. Higher rates of discrimination are still reported by respondents from non-Christian faith groups (11.5%) than Christian (8.7%) and non-religious (7.7%) respondents in the People Survey but this gap is narrowing. This has been matched by increases in non-Christian faith group respondents' Engagement and Inclusion and Fair Treatment (IFT) scores: between 2018 and 2019, Engagement scores rose from 67% to 74%, and IFT scores rose from 79% to 84%.

Pregnancy and maternity: key findings

1. 143 staff took maternity leave in 2020, up from 125 in 2018. More staff took longer maternity leave in 2020, with 81.1% taking between 40 and 52 weeks of leave, compared to 55.8% in 2019.

Intersectional analysis: key findings

2. Additional intersectional analysis was conducted on the 2019 People Survey results for Scottish Government. Some key findings relating to experiences of inclusion and fair treatment, and the intersectionality between gender, disability and ethnicity are presented below.
 - Women and men with a disability are less likely to feel treated fairly at work than their colleagues without a disability. The largest difference is between men with a disability (77%) and men without a disability (90%).
 - Minority ethnic women are less likely to feel that they are treated fairly at work (80%), compared to minority ethnic men (87%), and white women and men (88%).
 - Minority ethnic women are less likely to agree that they are treated with respect by the people they work with (83%), compared to minority ethnic men (91%), white women (88%) and white men (89%).
 - Women and men with a disability are less likely to agree (80% and 79% respectively) that they are treated with respect by the people they work with, compared to non-disabled women (89%), and non-disabled men (91%).
 - 63% of women with a disability and 68% of men with a disability agreed or strongly agreed that they felt valued for the work they do. This compares to 79% of women and men without a disability.
 - Minority ethnic men were most likely to agree/strongly agree that they feel valued for the work they do (86%), compared to 74% of minority ethnic women, and 76% of white women and men.
 - Women and men with a disability are less positive (77% and 75% respectively) about Scottish Government respecting individual differences, compared to white women (86% positive) and white men (89% positive).
 - Minority ethnic women are less positive (79%) about Scottish Government respecting individual differences, compared to minority ethnic men (86%), white women (87%) and white men (85%).

APPRAISAL MARKINGS

1. The data we reported in 2017 appeared to show less positive outcomes for disabled staff in relation to performance marking than non-disabled staff. This was cause for concern given our ambition to be a fair, equal opportunity employer where employees can flourish.
2. In-depth analysis was conducted in 2018, and repeated in 2020 to investigate the significance of this finding, controlling for other protected characteristics and length of service in order to establish whether the difference is linked specifically to disability status. Results revealed that there is a statistically significant difference between the appraisal markings for disabled and non-disabled staff that could not be explained by other protected characteristics, or the length of time in service. However only around 2% of the variation in the data was explained, and therefore a causal relationship between disability status and lower appraisal markings cannot be concluded.
3. It is also recognised that disability has the lowest declaration rate of all the protected characteristics we monitor. However this is gradually improving, with the percentage of unknown records for disability falling from 42.4% in 2018 to 36.4% in 2020. A more complete data set would better inform this analysis and we will take forward action to improve the data under our Recruitment and Retention Plan for Disabled People.
4. In December 2020 a research project was initiated to evaluate the impact of the Scottish Government performance management process on disabled staff. It will:
 - Critically evaluate secondary research and existing literature in the field of performance management and disability and the linkages between lower appraisal scores and employees with disabilities.
 - Analyse the range of factors affecting the treatment of disabled individuals in the Scottish Government. In particular, consideration will be given to the interaction with, and impact of other HR policies in relation to performance management.
 - Analyse the differences between appraisal scores for disabled employees across multiple years to assess potential impacts of a new streamlined performance appraisal process.
 - Draw conclusions and make business-focused recommendations on how the factors contributing to lower performance scores for employees with disabilities could be addressed.

EQUAL PAY STATEMENT AND PAY GAP INFORMATION: GENDER, RACE AND DISABILITY

Equal Pay Statement 2021

1. The Scottish Government is committed to tackling inequalities in Scottish society and knows that having a diverse workforce within the Scottish Government is key to this. We also know that the value of this diversity can only be realised through acknowledging and removing barriers that prevent people from flourishing, and continuing to build an inclusive culture where everyone is valued because of the unique perspectives they bring, whilst also feeling a strong sense of belonging to the Scottish Government as an employer.
2. Non-discrimination and equality of opportunity are cornerstones of our approach to pay and reward. We are committed to advancing equality of opportunity in the workplace regardless of protected characteristic or other reason (sex, marital/civil partnership status, age, race, ethnic origin, sexual orientation, disability, religion or belief, gender identity (trans status), socio economic background, working pattern, employment status, caring responsibilities, or trade union membership).
3. The Scottish Government operates a pay and reward system which is transparent, based on objective criteria and free from bias so that equal pay applies at every level of the Scottish Government. In line with the Public Sector Equality Duty, we are committed to a policy of equal pay between: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not.
4. To achieve this we have set strategic objectives which include addressing inequalities particularly for race and disability. Our ethnicity and disability pay gaps are a cause for concern and we are committed to closing them. Although our gender pay gap is low, we will continue to take action to reduce it. We regard falling pay gaps as a success indicator of delivering on our strategic priorities.
5. We understand the causes of pay gaps can include a lack of flexible working, occupational segregation (vertical and horizontal) and discrimination in pay systems and we have implemented a range of policies and practices to address these. Our low gender pay gap points to the success of these measures. The further actions set out in our Recruitment and Retention Plan for Disabled People 2019 and our Race Recruitment and Retention Plan 2021 aim to address specific barriers facing these groups in order to drive down the race and disability pay gaps. Where possible we will take an intersectional approach to the delivery of these Plans. The implementation of these plans is being overseen by DG Organisational Development and Operations who is a member of our Executive Team.

FLEXIBLE WORKING

1. We have a strong culture of flexible working arrangements in Scottish Government such as part-time working, compressed hours, and job-sharing. This is largely enabled by staff choosing to work flexibly using the flexitime (Flexi Working Hours) scheme which does not need the same formal arrangements as a contractual flexible working request requires, but still allows staff to accommodate commitments, such as school drop-offs/pick-ups, and to suit their working preferences. The scheme is available to all staff (with the exception of those working formal shift patterns) where hours can be worked flexibly subject to business need between bandwidth hours of 7am to 7pm.
2. We are keen to support all staff, including those at senior levels to identify the right work life balance for them. At Senior Civil Service (SCS) level there are examples of staff working part-time, job-sharing, compressed working hours and partial retirement. As part of the package of improvements we took forward in summer 2020 to increase diversity and inclusion in SCS recruitment, we developed and implemented new job-share guidance for applicants and for panel assessors.
3. We are also seeing an increase in men taking up formal part-time working patterns: in 2020 19.1% of part-time employees were men, compared with 14% in 2013. Ethnic minority staff are proportionately represented amongst part-time employees, and increasing numbers of disabled people are also working part-time, from 5% in 2013 to around 10.1% in 2020.
4. In addition, increased flexibility has been put in place since March 2020 as a result of the COVID-19 pandemic, where the majority of staff have been successfully delivering the work of the Scottish Government whilst working from home. Home working arrangements have been relaxed to allow staff with caring responsibilities to work at a time that suits their circumstances, which can be outside of the Monday-Friday, 7am-7pm working period. Staff have continued to be paid as normal where this flexibility still does not enable them to work their contracted hours due to their caring responsibilities. The Scottish Government is keen to learn from our employees' experiences of working from home during the pandemic and plans wider engagement of how, where and when work is delivered in the future to ensure equity for those who may wish to continue with a home working arrangement long-term.

VERTICAL AND HORIZONTAL OCCUPATIONAL SEGREGATION

1. Occupational segregation refers to the clustering of groups (men and women ordinarily, but also disabled and non-disabled employees and employees who fall into a racial minority and those who do not) at certain levels (vertical) in certain professions (horizontal) in the organisation.
2. We know that both disabled people and minority ethnic people are generally underrepresented in our workforce overall, and in general the more senior the grade, the lower the representation of both groups. For this reason we set an employer equality outcome to increase the diversity of our workforce to be representative of the Scottish population by 2025.
3. The evidence indicates that the overall workforce continues to become more diverse and that further work is required to accelerate this process, particularly in relation to disability and ethnicity. In terms of grades and pay bands (vertical occupational

segregation), disabled people continue to be concentrated at junior levels. Ethnic minority people are under-represented at every level compared to Scotland's population and, comparing A-C bands, are more likely to be at junior levels.

4. For that reason, our recruitment and retention plans focused on race and disability and have clear outcomes to address this and we have set targets on the flow of minority ethnic and disabled people into the SCS. In this report we have set out the action we have taken and are committed to continuing to take to drive further improvements in order to deliver on our 2025 ambitions. We are already seeing signs of positive change: while in previous years it has not been possible to report on the number of disabled or ethnic minority people at SCS because numbers were too small, this is no longer the case. Looking at each of the other pay bands (A-C) over the last several years, there are signs of gradual diversification for disabled people and people from an ethnic minority background.
5. This progress has a potentially counterintuitive impact on our race and disability pay gaps: new recruits are likely to start at the bottom of the pay scale, and our pay step system means that for the most part, pay increases are gradual although it takes only three to four years to reach the maximum. Ethnic minority and disabled staff continue to be mostly represented at A or B band, and this has an impact on both the median and mean pay gaps. The increase in the proportion of disabled staff at SCS in 2019/20 may have had an impact on the mean gap although it will have had little effect on the median gap.
6. In terms of gender, women comprise an increasing majority of the workforce and comprise most of A-C Band staff but are still the minority within the SCS. However, the SCS gap is narrowing: 37% (n= 64) of SCS staff in 2013 were women compared to 44% (n= 117) in 2020.
7. Another aspect of occupational segregation is understanding the professional roles performed by our workforce. This will enable us to improve our understanding of horizontal occupational segregation – the clustering of men and women (and other protected characteristics) in business areas across the organisation – and better understand features underlying any pay gap.
8. As was reported in the 2019 report, initial analysis explored the potential of Job Families to understand the diversity of professional groups in the workforce using job title data. This allowed us to gain a better understanding of the nature and distribution of jobs across the organisation (see Table below which uses the latest available data). However, this work has not progressed as planned due to resource pressures relating to EU Exit and then COVID-19. However, discussions are underway about a replacement for e-HR (the HR system which collects management information about the workforce) and this will provide an opportunity to improve how data is collected and recorded about job families allowing analysis that is not possible with current systems. Moreover, the most recent People Survey has introduced an improved set of questions on occupational and professional groupings across the civil service and this will be investigated as an alternative source about horizontal occupation segregation in the workforce when the data becomes available in 2021.

Job Families, by gender (Allocation of December 2020 job titles to experimental categories - Excludes missing or unclassified job titles)



SCOTTISH GOVERNMENT PAY SYSTEMS

1. The Scottish Government Public Sector Pay Policy affects staff at the Scottish Government and acts as a benchmark for all major public sector workforce groups across Scotland, and so it is critical that our pay policies and practices do not introduce or perpetuate any direct or indirect discrimination. In order for the Scottish Government to meet our commitment to equal pay, our pay ranges and reward policies are available to staff on the intranet. Pay and grading benchmark guidance is used when creating new posts, assessing an existing post or redesigning a post to ensure equal pay for work of equal value. This guidance is underpinned by analytical job evaluation, which is recognised as a sound basis on which to determine work of equal value. The Job Evaluation and Grading Support (JEGS) system is the basis for evaluating posts below SCS, with SCS grades following Job Evaluation for Senior Posts (JESP). To avoid bias, evaluation focuses on the role rather than the individual, using established descriptions for each grade, and trained evaluators review cases.
2. Each pay range has a number of defined pay steps. Staff will enter a pay range at the relevant minimum. The pay review date for SGM and SGMarine is 1 April and subject to the terms of Public Sector Pay Policy. Pay reviews are negotiated with the recognised trade unions and where the outcome (a pay award) includes pay progression staff will progress towards their maximum by one pay step. Journey times are two years for Band A and three years for Bands B & C. The trade unions are also involved in all other aspects of reward policy within the Scottish Government. Pay reviews will also cover all aspects of remuneration and terms and conditions.

3. Although our gender pay gap is narrow, we have committed to carrying out an Equal Pay Audit in partnership with our trade unions and will take an intersectional approach to identify the causes of and remedies for our gender, race and disability pay gaps. We had intended to have this completed in 2020, but it was paused to prioritise the response to the coronavirus pandemic. We are committed to conducting it by the end of 2021.

PAY GAP INFORMATION

Coverage

1. The Scottish Government has three groups of staff each with separate sets of remuneration arrangements. The three pay groups are:
 - Scottish Government Main (SGM);
 - Scottish Government Marine (SGMarine); and
 - Senior Civil Service (SCS).
2. The Scottish Government has delegated authority to determine the pay, and terms and conditions for all staff below SCS. The SCS is reserved to the UK Government. While the members of the SCS are Scottish Government employees, their remuneration is determined and managed in line with UK Cabinet Office pay and performance management framework. Scottish Government has however ensured that there are coherent pay arrangements between our delegated and SCS grades and that the principle of equal pay for work of equal value is delivered.
3. In SGM, SGMarine and SCS, staff will typically be recruited at the pay range minimum and progress to the maximum. Current progression journeys range from a minimum of two years to a maximum of four years depending on pay range. The tables below are a snapshot reflecting length of service and pay progression journey at a particular point.
4. Pay gap data for calendar year 2020 (presented below) goes up to the end of November 2020, as the analysis required as part of the Equality Outcome and Mainstreaming reporting process was carried out earlier than usual to meet the publication date.
5. A breakdown of pay groups and the core departments and bodies included in the pay gap analysis can be found in the Equality data (in annex A). It should be noted that the coverage of this analysis differs slightly to the coverage of the data presented elsewhere in this report, as outlined in Employee Equality Data Annex published with this document.
6. The Scottish Government pay gap analysis calculates the difference between average full-time equivalent earnings for specified groups. These calculations compare earnings for groups where protected characteristics have been declared. Both mean and median pay and pay gaps are presented below. The mean is the Scottish Government preferred method and is derived by summing the values for a given sample, and then dividing the sum by the number of observations in the sample. The mean can be disproportionately influenced by a relatively small number of high-paying jobs but ensures that all staff are represented in the statistical analysis. The median is the value below which 50% of observations fall and is less affected by a relatively small number of very high earners and any skewed distribution of earnings.

GENDER

1. In 2020, the median gender pay gap for all employees in the UK was 15.5%, and 10.9% in Scotland.
2. Since publication of the 2019 Mainstreaming Report, the Scottish Government mean gender pay gap reduced by 0.27% (down from 3.39%) to 3.12% (median 2.84%) . This is likely to be attributable to the continued increase in the overall proportion of women in the organisation but also, importantly, the continued proportion of women at more senior, and therefore higher paying, levels.
3. The Scottish Government seeks to ensure that all policies that support the employment of staff are free from gender bias and that work of equal value attracts equal pay. Within the Scottish Government (Scottish Government Main and Marine Scotland) where men and women are undertaking work of equal value (i.e. within the same pay range) they are paid a similar rate and consequently the pay gap is low. The reason for an overall pay gap of 3.12% is that despite the increased proportions of women at senior grades, overall there are still more women in lower pay ranges which lowers the overall average hourly rate.

	Female		Male		Pay Gap	
	Mean	Median	Mean	Median	Mean	Median
2020	£40,265	£35,110	£41,561	£36,138	3.12%	2.84%

4. A positive pay gap indicates where male staff have a pay lead.

WORKING PATTERN

1. In the 2019 publication, the Scottish Government mean pay gap was 1.53% in favour of full-time males in relation to part-time females. Closing the gap by 0.47% demonstrates an improvement in equality of flexible working opportunities.

	FT Male		PT Female		Pay Gap	
	Mean	Median	Mean	Median	Mean	Median
2020	£41,478	£36,013	£41,038	£35,110	1.06%	2.51%

2. A positive pay gap indicates where full-time male staff have a pay lead.

ETHNICITY

- In the 2019 publication, the Scottish Government mean pay gap was 6.42% in favour of staff declared as White. While both the mean and median salary levels for ethnic minority staff have increased, this is not at the same rate as the increase for white staff. In order to investigate this in more detail, a specific piece of analysis will be undertaken to help us understand whether recruitment and promotion processes are having an impact on the ethnicity pay gap.

	Ethnic Minority		White		Pay Gap	
	Mean	Median	Mean	Median	Mean	Median
2020	£38,335	£34,652	£41,793	£37,367	8.27%	7.27%

Note: A positive pay gap indicates where white staff have a pay lead. This analysis includes only those who have declared their ethnicity. Out of a total of 11,170 staff, there are 2,213 who have not declared themselves either minority ethnic or white.

DISABILITY

- In the 2019 publication, the Scottish Government mean pay gap was 14.38% in favour of staff declared as not disabled. The current narrowing of the mean figure by nearly 4 percentage points represents an improvement towards equality for those with a declared disability. The pay lead of non-disabled staff is a reflection of the proportion of self-declared disabled staff within the pay and grading system. This is highest in the more junior grades and declines as one progresses through to more senior grades.

	Disabled		Not Disabled		Pay Gap	
	Mean	Median	Mean	Median	Mean	Median
2020	£37,946	£33,266	£42,364	38,541	10.43%	13.69%

Note: A positive pay gap indicates where non-disabled staff have a pay lead. This analysis includes only those who have declared themselves disabled or not disabled. Out of a total of 11,170 staff, there are 4,213 who preferred not to say or whose disability status is unknown.

ANNEX A

Annex showing coverage of pay gap data

- Showing coverage of pay gap data
- Breakdown of Pay Groups
- Scottish Government Main & SCS

Core Directorates General of the Scottish Government

- Directorate General – Constitution and External Affairs;
- Directorate General – Economy;
- Directorate General – Education, Communities and Justice;
- Directorate General – Health and Social Care;
- Directorate General – Organisational Development and Operations; and
- Directorate General – Scottish Exchequer.

Agencies and Non-Ministerial Offices

- Accountant in Bankruptcy;
- Disclosure Scotland;
- Education Scotland;
- Scottish Public Pensions Agency;
- Student Awards Agency for Scotland;
- Transport Scotland;
- Social Security Scotland;
- National Record of Scotland;
- Office of the Scottish Charity Regulator;
- Scottish Housing Regulator;
- Revenue Scotland;
- Food Standards Scotland; and
- Scottish Fiscal Commission.

Staff serving elsewhere on assignment, loan or secondment are regarded as being part of SGM & SCS except where provision has been agreed for other terms and conditions to apply.

Scottish Government Marine

- Officers and crew of Marine Protection Vessels;
- Officers and crew of Marine Research Vessels;
- Marine, Engineer and Safety Superintendents; and
- Officers or Ratings staff undertaking temporary shore-based assignments.

EMPLOYEE EQUALITY DATA PUBLISHED WITH THIS DOCUMENT

ANNEX B

Background

1. [Section 149 of the Equality Act 2010](#) (the '2010 Act') places a general duty (known as the Public Sector Equality Duty (PSED)) on public authorities to have due regard to: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations between persons who share a protected characteristic and those who do not. Scottish Ministers have supplemented the general duty by placing detailed requirements on Scottish public authorities through the [Equality Act 2010 \(Specific Duties\) \(Scotland\) Regulations 2012](#) (as amended).
2. The 2012 Regulations require listed public authorities (including the Scottish Government) to publish the following:
3. A report on the progress it has made to make the equality duty integral to the exercise of its functions so as to better perform that duty ([Regulation 3](#)). These reports must be published every two years. The Scottish Government's [last report was published in 2019](#):
4. A set of equality outcomes which it considers will enable it to achieve a result that will further one or more of the needs mentioned in section 149(1) of the 2010 Act ([Regulation 4](#)). Sets of outcomes must be published every four years, with reports on progress published two years after the outcomes have been set. The Scottish Government's 2017 mainstreaming report included a new set of outcomes. This report provides a summary of progress over the period 2017-2021. A separate document sets out the outcomes for the period 2021-2025 and is published with this document.
 - 4.1. An annual breakdown of the composition of the workforce and the recruitment, development and retention of employees with respect to, in each year, the number and relevant protected characteristics of staff, as well as details of the progress that the authority has made in gathering and using that information to enable it to better perform the equality duty ([Regulation 6](#)). This information must be published every two years, on the same cycle as those reports published in relation to Regulation 3 (see above). The mainstreaming report published in 2019 (see above) contained the relevant information on employees;
 - 4.2. Information on the percentage difference among its employees between men's average hourly pay (excluding overtime) and women's average hourly pay (excluding overtime) ([Regulation 7](#)). This information must be published every two years, and was last published by the Scottish Government in 2019, as part of its mainstreaming report; and

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- 4.3. A statement specifying the policy on equal pay as between: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not. Simultaneously, it is necessary to show occupational segregation amongst employees, that is the concentration in particular grades and occupations of: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not ([Regulation 8](#)). These statements must be published every four years, and were last published by the Scottish Government in 2017.
5. The Scottish Government's reporting requirements in 2021 are, therefore:
 - 5.1. A report on progress on make the equality duty integral to the exercise of its functions (Regulation 3);
 - 5.2. A summary of progress on the outcomes set in 2017 (Regulation 4);
 - 5.3. The composition of the workforce, and use of that information (Regulation 6); and
 - 5.4. Information on the gender pay gap (Regulation 7).
 - 5.5. A statement specifying the policy on equal pay as between: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not. Information on occupational segregation amongst employees, including grades and occupations of: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not (Regulation 8).



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This publication is available at www.gov.scot

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The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80004-739-6 (web only)

Published by The Scottish Government, March 2021

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS835886 (03/21)

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