

SPICe Briefing

Ethnicity and Employment

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This briefing provides general statistical and research information on the labour market position of ethnic minorities in Scotland. It has been produced to assist the Equal Opportunities Committee in its deliberations as part of its inquiry: *Removing Barriers: race, ethnicity and employment*.



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INTRODUCTION

The Equal Opportunities Committee has agreed to conduct an inquiry focusing on ethnic minority employment in Scotland. The inquiry focuses on the whole employment journey, from gaining access to employment, recruitment and retention and the actions that employers take to promote greater labour market participation. These include challenging discriminatory practices, challenging occupational segregation and opportunities for promotion within the labour market.

This briefing provides background information to inform the Committee's inquiry. It includes a note on the terminology around ethnicity and some demographic information on the ethnic minority population living in Scotland. It then looks at educational attainment, post school destinations and participation in Modern Apprenticeships before focusing on the data available on economic activity among ethnic minority groups. To provide some useful context on the statistical data presented here, there is some brief consideration of evidence on employment experiences. Finally, given the interest in the measures that employers are (and could be) taking to promote greater equality in the labour market, the paper explains the distinction between positive action and positive discrimination.

TERMINOLOGY

The terms "ethnicity" and "race" are often used interchangeably, without any real clarity on their difference and when each is accurate.

Ethnicity

Ethnicity refers to the cultural group that a person belongs to. Everyone has an ethnicity, although policy debate in Scotland tends to focus on the situation of visibly identifiable ethnic minority groups, such as Asian or Black people.

The current Scottish policy focus on ethnicity, for example, classifies people as "white" (including "white Scottish", "white British", "Irish" and "Polish") or as belonging to one of four "ethnic minority" groups:

- (a) "mixed or multiple ethnicity"
- (b) "Asian, Asian Scottish or Asian British"
- (c) "African, Caribbean or Black"
- (d) "other ethnicities" (Scottish Government, 2015)

The above categorisations were used in Scotland's Census 2011 (National Records, 2013), so will be reflected in analysis of data on ethnicity presented below.

The result of this approach is that discussion on ethnicity tends to categorise people who are not white as belonging to an ethnic minority group, while generally not considering the position of white ethnic minority groups, including Irish and Polish people who represent a significant minority of the Scottish population (see Annexe 1 for details on the size of each ethnic group).

The Scottish Public Health Observatory (SPHO) (2015) notes that ethnicity is self-defined and that this self-identification can change over time. As ethnicity is not something that is objectively measurable, attempts to classify people by ethnicity involve pragmatism; using commonly understood descriptions that are acceptable to respondents and relevant to policy and research. Essentially, how someone defines their ethnicity is informed by:

“The social group a person belongs to, and either identifies with or is identified with by others as a result of... cultural and other factors, including language, diet, religion, ancestry and physical features traditionally associated with race”.

The result is that the potential to draw any definitive conclusions about the size of the ethnic minority population, and changes in the size and composition of different ethnic groups over time, is limited.

At present, the size and composition of the ethnic minority population in employment in Scotland is not fully known. This is partly due to the way that information on ethnicity is collected. People in employment are asked to self-report their ethnicity, with the result that people can choose not to provide this information.

Despite a duty on public bodies to monitor and report on recruitment and retention of people from “protected groups”¹, employers face difficulties monitoring the size of their ethnic minority workforce. It remains the case that a proportion of employees in public sector organisations choose not to report their ethnicity (Equality and Human Rights Commission, 2013)

Race

“Race” has in the past been used as a pejorative to suggest that some racial groups are superior to others, for example based on physical differences. Over time these views have been discredited due to a lack of sound scientific evidence.

The SPHO (2015) argues that classifying people by their physical appearance, including skin colour, or other visual cues, is “unreliable and of questionable validity”. It suggests that there is no clear rationale for classifying people into racial

¹ The Equality Act 2010 identifies the following as “protected characteristics”: gender, race, sexuality, disability, religion, ethnicity, age, gender reassignment, pregnancy and maternity, marriage and civil partnership (Equality and Human Rights, 2015)

categories, at least in part as “there is no consistent agreement about an objective set of categories”.

As the above suggests, race is not a term that has any biological basis. It also does not capture a sense of the varied ethnic groupings that exist in the modern world. However, it is a category that is seen as dynamic socially and historically.

DEMOGRAPHICS

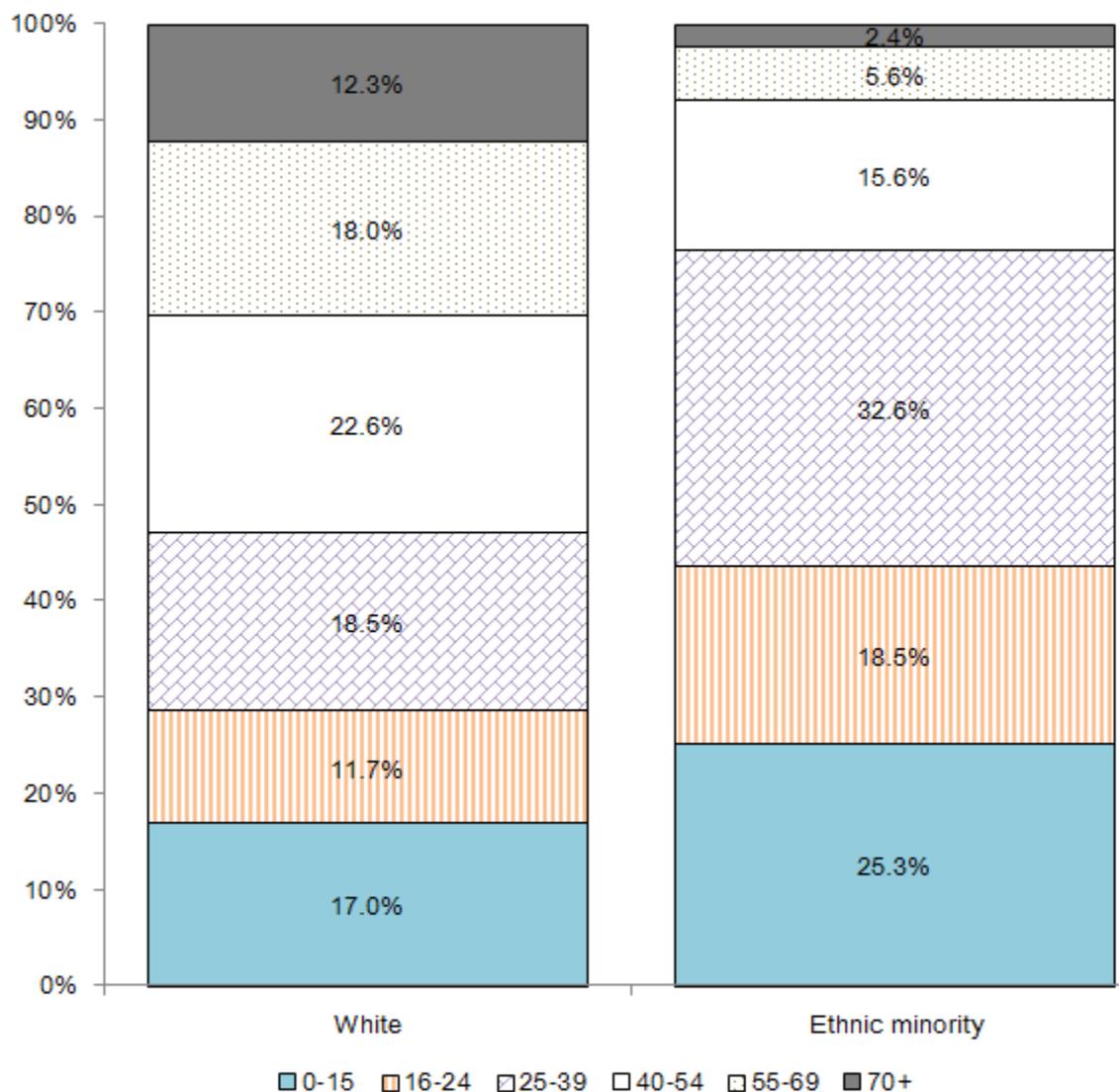
At the time of Scotland’s Census 2011 (National Records, 2013), there were just under 5.3 million people living in Scotland. Of these, a little over 4.4 million (84%) reported their ethnicity as “white Scottish” and a further 638,729 (12%) another white ethnicity. The largest group of the non-Scottish “white” population were “other British” (7.9%), while the white ethnicities, “Irish” and “Polish”, each represented just over one per cent of the Scottish population.

The remaining four per cent of the Scottish population reported being from an ethnic minority group (not “white”). The largest group were Asian, Asian Scottish or Asian British (2.7%), with Pakistani, Pakistani Scottish or Pakistani British the most common reported within this category (0.9%). A full list of the ethnic groupings reported in Scotland’s Census 2011 can be found at Annexe 1.

The age profile of the Scottish population differs between those who define themselves as “white” and those who define themselves as from an ethnic minority group². Figure 1 (overleaf) indicates an older age profile among the white population, with over 30 per cent aged 55 and over; with over 12 per cent aged 70 and over. Only eight per cent of people from an ethnic minority group were aged 55 or over at the time of Scotland’s Census 2011 (National Records, 2013). Among the ethnic minority population there was a much larger population of younger people – aged below 40 (76%) - than among the white population (47%).

² In keeping with the current policy focus, unless stated otherwise, data referring to “ethnic minority groups” only considers the trends affecting those from groups not included in the “white” categories.

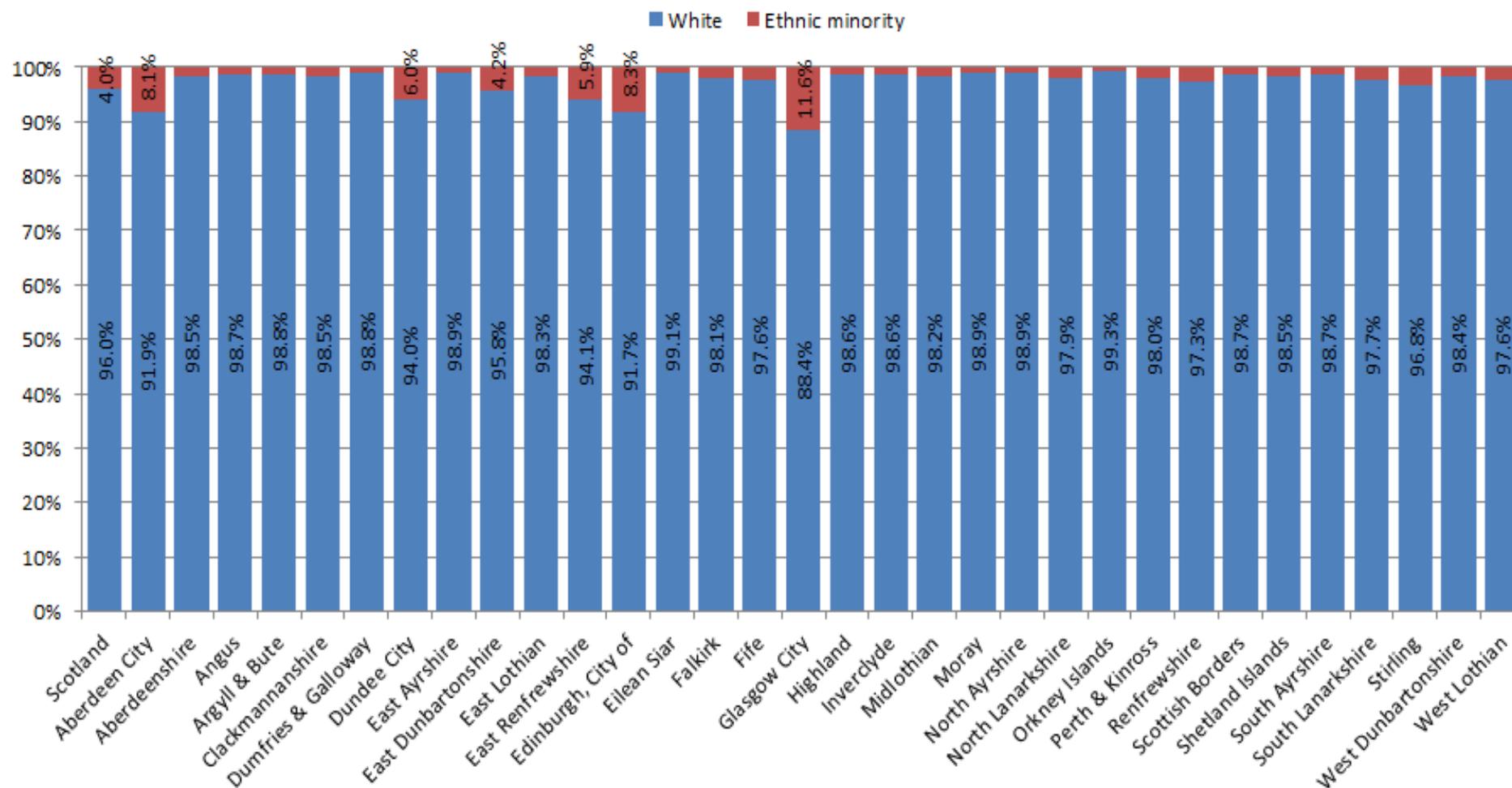
Figure 1: The population in Scotland by ethnicity and age, 2011



Source: Scotland's Census 2011 (National Records, 2013)

Ethnic minority groups are more likely to live in Scotland's cities than elsewhere in Scotland. As Figure 2 (overleaf) shows, ethnic minority groups make up 11.6 per cent of the population in Glasgow, 8.3 per cent in Edinburgh, and 8.1 per cent in Aberdeen. This compares with a figure of 4 per cent for Scotland as a whole. By contrast, the ethnic minority population in the most rural parts of Scotland, as well as in smaller cities and towns, is significantly lower.

Figure 2: Scotland's population by ethnicity and local authority, 2011



Source: Scotland's Census 2011 (National Records, 2013)

Figure 3 (overleaf) offers a detailed illustration of the proportion of the population in Scotland that report their ethnicity as one of the (non-white) ethnic minority groups. This illustration shows that the largest ethnic minority group living in Scotland are those who self-identify as Asian, Asian Scottish or Asian British – representing 2.7 per cent of the population. However, there is significant variance in the local authority areas in which the Asian population live. The largest population is in Glasgow (8.1%) while Edinburgh (5.5%), East Renfrewshire (5%), Aberdeen (4.3%) and Dundee (4%) also have a larger than average Asian population.

Given the small numbers of people within each Asian ethnic group, it is not possible to provide more detailed analysis in this paper about the local authorities within which different Asian ethnic groups live. But a look at the data on these small population groups indicates that the Pakistani community reside more commonly in Glasgow and East Renfrewshire than in other parts of Scotland, while the Chinese community reside more commonly in Glasgow and Edinburgh.³

While less than one per cent of the population in Scotland identifies as African, Caribbean or Black, this ethnic group is highly represented in Aberdeen (2.5% of the population) and in Glasgow (2.4% of the population).

³ These findings are drawn from more detailed analysis of Scotland's Census data. The numbers and proportion of the population are, however, very small, so results should be treated with caution.

Figure 3: Scotland's population of "non-white" ethnic groups by local authority, 2011



Source: Scotland's Census 2011 (National Records, 2013) NB: Only percentages worthy of note have been included in this illustration

Figure 4 (overleaf) considers the proportion of people who define their ethnicity as “white” but not Scottish⁴. This graph shows some areas of Scotland with up to 20 per cent of the population being “white” but not white Scottish. The Scottish Borders, Moray and Edinburgh have the largest such representation.

“Other British” people are the largest group, representing 7.9 per cent of the Scottish population. In some local authorities - notably those located in more rural parts of Scotland - people from other parts of Britain make up significantly more of the local authority population than the Scottish average. This includes Moray (18%), the Orkney Islands (17.8%), Argyll and Bute (16.8%), the Scottish Borders (16.4%), Dumfries and Galloway (16.2%) and Highland (14.7%). There is also a higher than average number of “other British” people living in Aberdeenshire (12.2%), Edinburgh (11.8%) and Perth and Kinross (11.3%).

In contrast, there are far fewer people who self-identify as “white: other British” living in many of the local authorities in the west of Scotland (including Glasgow, Renfrewshire and South Lanarkshire) as well as in West Lothian (5.8%), Midlothian (5.8%), Dundee (5.3%) and Falkirk (4.5%).

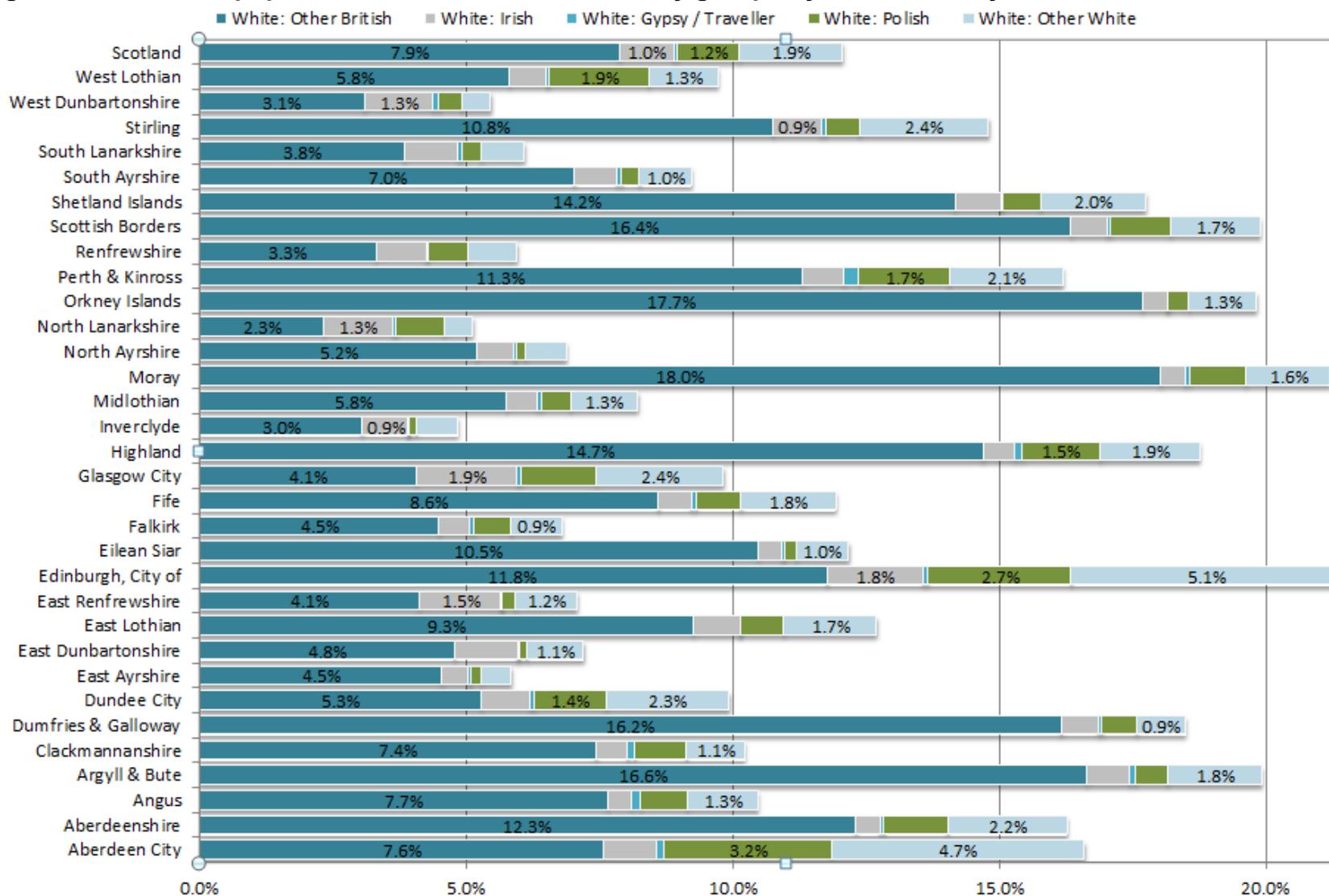
Across Scotland, 1.2 per cent of people define their ethnicity as “Polish” (see Annexe 1). While there are Polish people living in all local authority areas of Scotland, there are greater numbers in Aberdeen (3.2% of the population) and Edinburgh (2.7% of the population) than elsewhere in Scotland.

Similarly the very small population of people who defined their ethnicity as “Irish” (1% of the population) are more likely to reside in Glasgow (1.9%), Edinburgh (1.8%) and East Renfrewshire (1.5%) than in other local authority areas.

Finally, the category of “other white” represents 1.9 per cent of the population in Scotland, with Aberdeen (7.6%) and Edinburgh (5.1%) the local authorities with the largest proportions.

⁴ This refers to those who self-identify as one of the white ethnic groups, but not white Scottish

Figure 4: Scotland's population of "white" ethnic minority groups by local authority, 2011



Source: Scotland's Census 2011 NB: Only percentages of approximately 1 per cent and above have been included in this illustration.

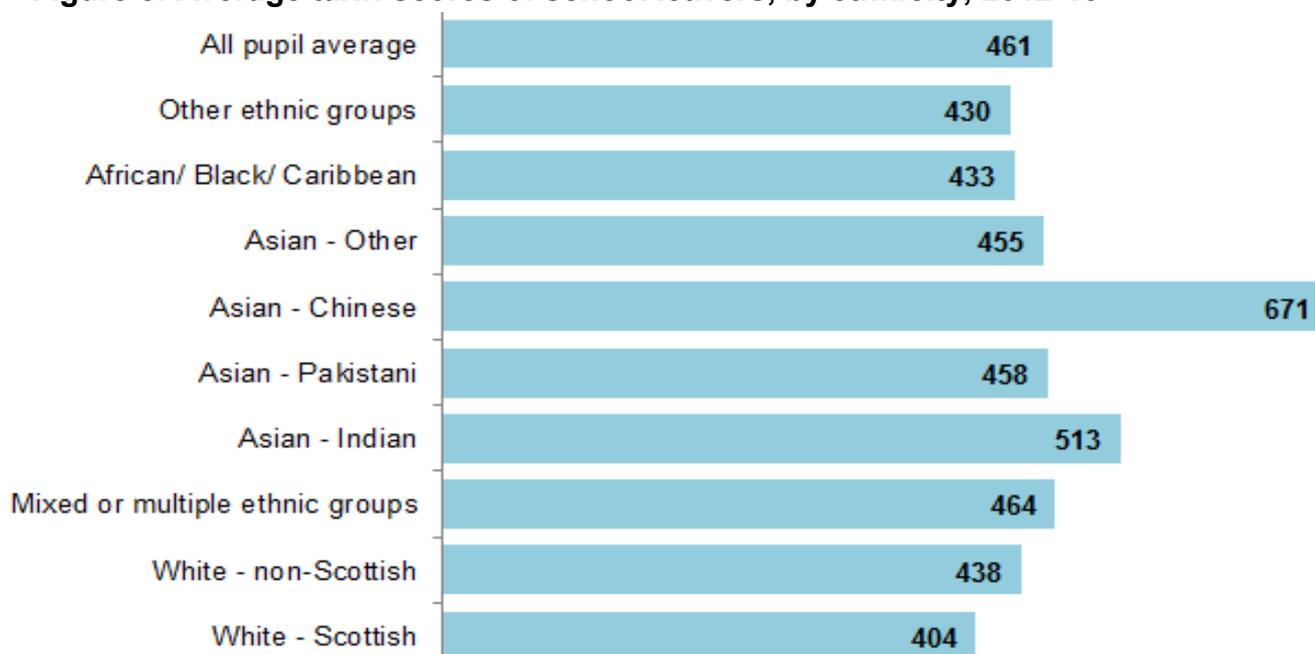
EDUCATIONAL ATTAINMENT AND LEAVER DESTINATIONS

In this section attention turns to the educational attainment and school leaver destinations of Scotland's school pupils, by ethnicity.

The Scottish Government uses data from its Pupil Census (Scottish Government, XXX) to report on the educational attainment of pupils, including among different ethnic groups. The most up to date figures currently available are for academic year 2012-13. Figure 5 shows the average tariff score⁵ achieved by school leavers from Scottish state schools in academic year 2012-13.

The average tariff score across all students (based on ethnicity) was 461. Chinese pupils achieved the highest average tariff score (671) and white Scottish pupils achieved the lowest average score (404). The average tariff score for all other Asian pupils - and among pupils from a mixed or multiple ethnic grouping - was at, or slightly above, the pupil average. Pupils of non-Scottish white ethnicity or whose ethnicity is African, Black or Caribbean performed less well than the average (438 and 433 respectively).

Figure 5: Average tariff scores of school leavers, by ethnicity, 2012-13



Source: Scottish Government (2015a)

⁵ Tariff scores is the method of calculating the qualifications achieved by individual pupils. The level of an award (e.g. Advanced Higher) and the grade achieved in that award will provide a pupil with tariff points. The higher the level and grade of award, the higher the tariff points achieved. The total of all tariff points achieved by the time the pupil leaves school gives the total tariff score achieved.

Table 1 (overleaf) indicates that school leaver destinations of pupils, by ethnicity, largely reflect differences in average tariff scores of school leavers. Notably, there was a far higher participation rate in higher education among those ethnic groups that achieved higher average tariff scores, including Chinese (78.3%), Indian (56.6%) and Pakistani (52.1%) school leavers.

In contrast, while the average tariff score for Black, African and Caribbean school leavers was lower than the pupil average, participation in higher education was higher for this group (49%) than for other groups that achieved similar average tariff scores, notably those recorded as “White: not Scottish” (40.9%).

These data also show the following key differences:

- Rates of participation in further education varied across groups, with Indian and Chinese school leavers the least likely to be taking part in further education.
- Chinese school leavers who do not move from school into higher education go into further education, with no real presence in any other post school destination (e.g. employment or training).
- Training is not showing as a destination for any of the non-white ethnic groups, only for a relatively small proportion of Scottish and non-Scottish white school leavers.
- There was a significantly greater participation in employment among white Scottish school leavers (25.6%) compared with other ethnic groups. Only white non-Scots and those of mixed or multiple ethnicities had similar, although lower, rates of participation in employment after leaving school.
- Looking at the proportion of school leavers in any positive destination⁶, where ethnicity is known, Chinese school leavers are most likely to be in a positive destination (98.8%), while white Scottish school leavers are least likely to be in a positive destination (89.9%).

⁶ “Positive destination” refers to people taking part in education, training, employment, voluntary work or an Activity Agreement.

Table 1: School Leaver destinations, by ethnicity, 2012-13

	White - Scottish	White - non-Scottish	Mixed or multiple ethnic origins	Asian - Chinese	Asian - Indian	Asian - Pakistani	Asian - Other	African/ Black/ Caribbean	Other ethnic groups	Not Disclosed/ Not known	Total (%)
Higher Education	35.5	40.9	46.5	78.3	56.6	52.1	48.8	49.0	44.1	33.1	36.4
Further Education	24.2	28.9	23.9	14.5	17.3	29.8	35.1	27.4	30.8	27.2	24.5
Training	3.3	1.9	*	*	*	*	*	*	*	4.7	3.2
Employment	25.6	18.7	18.3	*	12.8	8.3	9.0	11.2	*	19.9	24.7
Voluntary Work	0.4	0.7	*	*	0.0	*	*	*	*	1.0	0.5
Activity Agreement	1.0	0.7	*	0.0	*	*	*	*	*	1.9	0.9
Unemployed Seeking	8.0	5.6	5.8	*	*	7.1	*	*	*	8.3	7.9
Unem - Not Seeking	1.7	2.0	1.9	*	*	0.8	*	*	*	3.6	1.7
Unknown	0.3	0.6	*	0.0	0.0	*	0.0	0.0	0.0	*	0.3
Positive Destinations	89.9	91.8	91.8	98.8	91.3	91.8	95.7	91.7	90.2	87.9	90.1
All Leavers (=100%)	47,675	1,989	415	166	196	662	211	241	143	577	52,275

Source: Scottish Government (2015a)

APPRENTICESHIPS

All people taking part in a Scottish Government funded Modern Apprenticeship (MA) programme are asked to report their ethnicity at the time of starting the MA. This is a self-report mechanism, so apprentices can opt out of providing this information.

Data from Skills Development Scotland (Table 2) shows that, of those people who reported their ethnicity, only 1.1 per cent of Modern Apprentices in 2013-14 were from an ethnic minority group⁷; a fall from 1.7 per cent in 2009-10.

Table 2: Numbers and rates of participation in MA by ethnicity, 2009-10 to 2013-14

	2009/10		2010/11		2011/12		2012/13		2013/14	
Not BME	19,318	98.3%	20,755	98.6%	25,347	98.3%	25,196	98.9%	24,871	98.9%
BME	332	1.7%	288	1.4%	442	1.7%	274	1.1%	284	1.1%
Total Known	19,650	100%	21,043	100%	25,789	100%	25,470	100%	25,155	100%
Not Known	566	-	518	-	638	-	221	-	129	-

Source: Skills Development Scotland (2014)

⁷ The classification used by SDS is the same as by Scottish Government i.e. only those from a non-white ethnic group are included in the categorisation of ethnic minority groups.

Given the relatively young age profile of ethnic minority groups in Scotland, it might be expected that a larger proportion of ethnic minority groups would be taking part in MAs. That said, the data on school leaver destinations in Table 1 indicates that people from ethnic minorities are less likely to enter employment when leaving school than their white counterparts, which may explain the relatively low MA participation rate.

ECONOMIC ACTIVITY

Economic Activity by Age

“Economic activity” relates to whether or not a person aged 16 and over was working or looking for work in the previous week. Rather than a simple indicator of whether or not someone was in employment, it provides a measure of whether someone is working or actively seeking work. Those that are “economically inactive” provide the comparison. This group includes those people who are taking part in study, looking after children, retired or who are long-term sick or disabled.

The three graphs below illustrate the economic position of white and ethnic minority groups based on age. Figure 5 represents those aged 16-24 years, Figure 7 represents those aged 25-49 years and Figure 8 represents those aged 50-64 years.

Figures 6 to 8 (on the next few pages) show key differences in the economic activity of people depending on whether they report their ethnicity as either white or from an ethnic minority group.

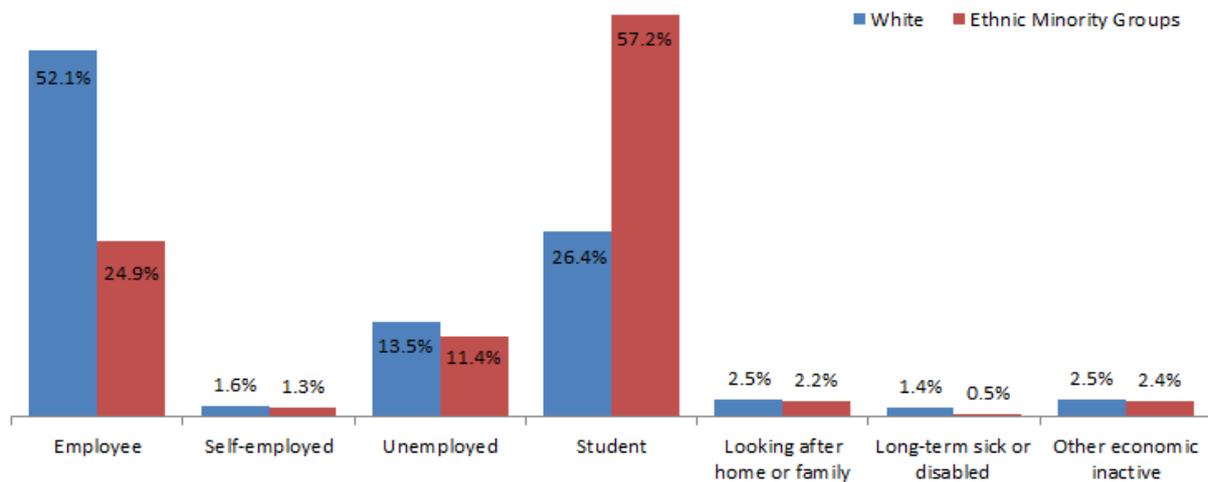
Figure 6 (people aged 16-24) shows that white ethnic groups are significantly more likely to be in employment (52.1%) than their ethnic minority counterparts (24.9%). Those from ethnic minority groups (57.2%) are far more likely than their white peers (26.4%) to be economically inactive as a result of taking part in study. There are few other significant differences in the economic activity or inactivity of 16-24 year olds from different ethnic groups.

Looking at the 25-49 age group (see Figure 7), there is a higher representation in employment among both white and ethnic minority groups, relative to the younger age group. However, the employment rate is significantly higher for white ethnic groups (72%) than for ethnic minority groups (55.2%).

There remains a significantly higher proportion of ethnic minorities who are economically inactive due to studying (10.9%) than among the white ethnic groups (1.5%). There is evidence of a growing division in unemployment rates, with ethnic minority groups having an unemployment rate of 7.9 per cent compared with 5.5 per cent among the white ethnic groups. There is also evidence among ethnic minority

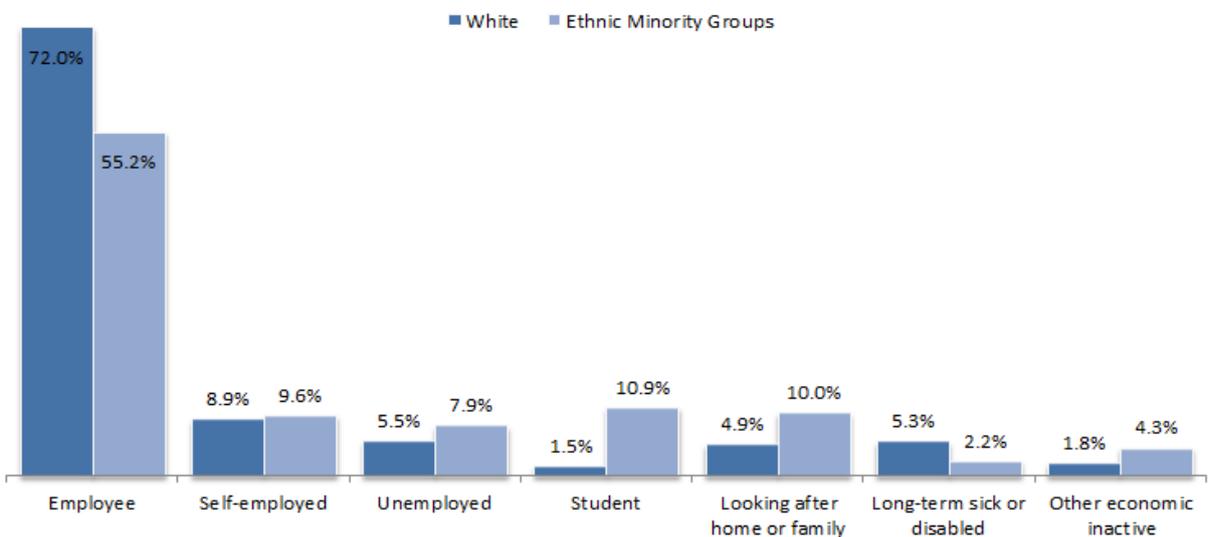
groups of higher rates of economic inactivity due to looking after family (10%) compared with among white ethnic groups (4.9%).

Figure 6: Economic activity and inactivity among people aged 16-24 by ethnicity, 2011



Source: Scotland's Census 2011 (National Records, 2013)

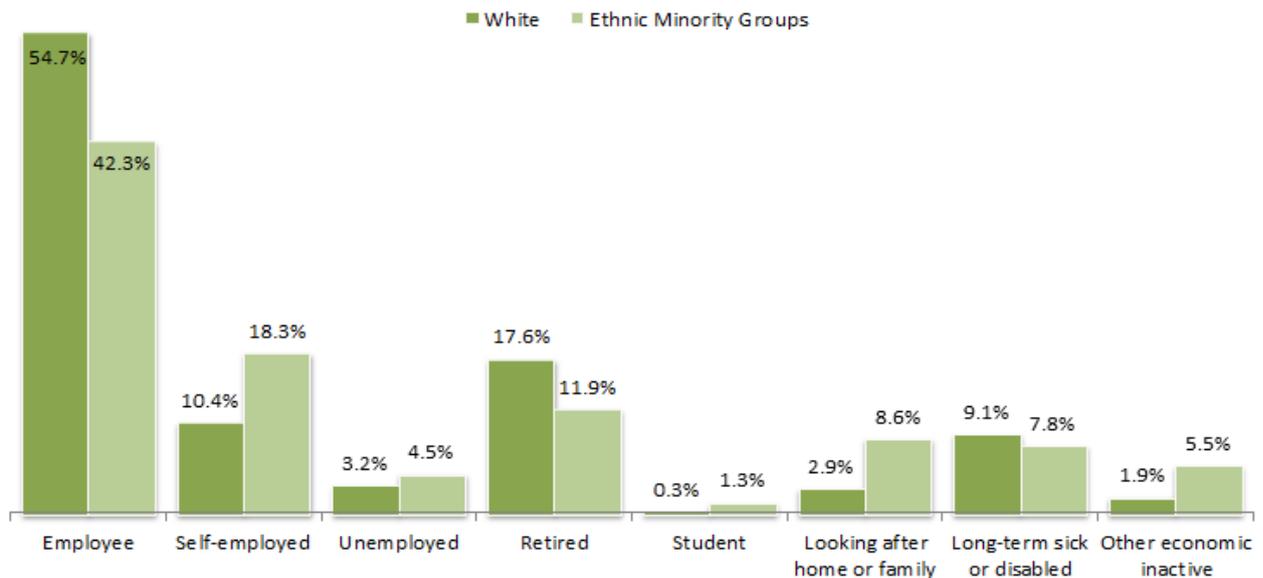
Figure 7: Economic activity and inactivity among people aged 25-49 by ethnicity, 2011



Source: Scotland's Census 2011 (National Records, 2013)

Figure 8 looks at those aged 50-64 years. This shows that differences in participation in employment remain, with white ethnic groups more likely to be employees (54.7%) than ethnic minority groups (42.3%). There are also higher rates of retirement among the white ethnic groups (17.6%) compared with ethnic minority groups (11.9%). It is in this older working age group that significant differences in self-employment rates become apparent – with ethnic minority groups far more likely (18.3%) than white ethnic groups (10.4%) to be participating in self-employment.

Figure 8: Economic activity and inactivity among people aged 50-64 by ethnicity, 2011



Source: Scotland's Census 2011

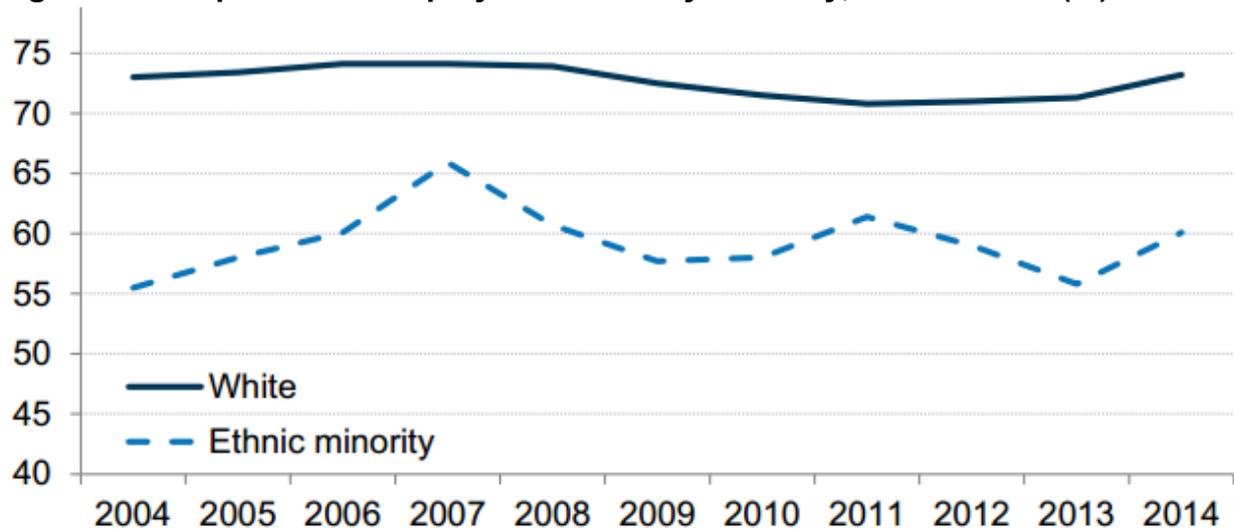
Labour Market Participation

Scotland's Census 2011 and the Annual Population Survey (APS) are the two main sources of data on how different ethnic groups fare in the labour market. APS data are released quarterly (so are more up to date) while the census data provide a more detailed breakdown of ethnicity categories (so offering more detail on the labour market situation of different ethnic groups).

Recent figures produced by SPICe (2015) (see Figure 9 overleaf) highlight the continued lower rate of participation in the labour market among ethnic minority groups compared with white ethnic groups. For white working age people, the trend has been for labour market participation rates around 72-74 per cent over this ten year period (2004 to 2014). Among ethnic minority groups, labour market participation was just over 55 per cent in 2004, rising to a high of 67 per cent in 2007; since then fluctuating, reaching a low of 51 per cent in 2013 (Scottish Government, 2015b).

The SPICe briefing notes that these APS estimates show that employment rates (for those aged 16 to 64 years) among ethnic minority groups have increased by just under 6 percentage points over the past 2 years (from 57.1 per cent in Oct 2011-Sep 2012 to 62.8 per cent in Oct 2013-Sep 2014). This is highlighted as being a larger increase than the 1.7 percentage point increase seen for the population of Scotland as a whole (Scottish Government, 2015b)

Figure 9: Comparison of employment rates by ethnicity, 2004 to 2014 (%)

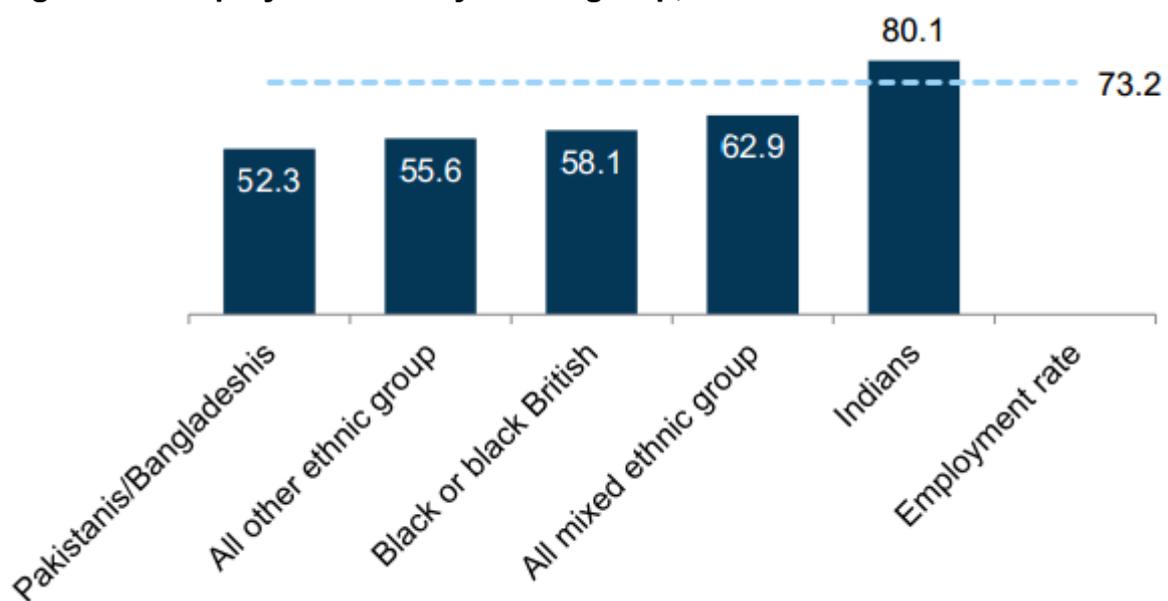


Source: Scottish Parliament (2015)

When looking in more detail at rates of employment among different ethnic minority groups, differences within the ethnic minority population emerge. Figure 10 shows that people who report their ethnicity as Indian have a higher than average employment rate – 80.1 per cent in 2014 compared with a Scottish average of 73.2 per cent.

By contrast, most other ethnic minority groups have an employment rate below the Scottish average, with Pakistani and Bangladeshi people having the lowest employment rate (52.3%), and people from mixed or multiple ethnicities a rate of 62.9 per cent.

Figure 10: Employment rate by ethnic group, 2014



Source: Scottish Parliament (2015)

Figure 11 (overleaf) shows the industries that people aged 16-74 are employed in. Looking at trends for all people at the time of Scotland's Census 2011, shows that 'public administration, education and health' (30%) followed by 'distribution, hotels and restaurants' (21%) and 'financial, real estate, professional and administrative activities' (15%) were the largest employers in Scotland.

There were, however, significant differences in the industries people from different ethnic groups were employed in. For example:

- Polish people had the highest proportion employed in 'manufacturing' (20%)
- Half of those (50%) who reported their ethnicity as Pakistani worked in the 'distribution, hotels and restaurants' industry
- There was also a high proportion of people whose ethnicity was classified as 'other Asian' (43%) working in the 'distribution, hotels and restaurants' industry
- The ethnic groups "African" and "Irish" had the highest proportion of people working in public administration, education and health – 37 per cent for both groups.

In a recent Scottish Government report analysing equality data it was suggested that higher rates of participation in service roles among (non-white) ethnic minority groups could in part be the result of the geographical location within which people live. As many (non-white) ethnic minority groups live in large cities, this may affect participation in specific sectors (Scottish Government, 2015b).

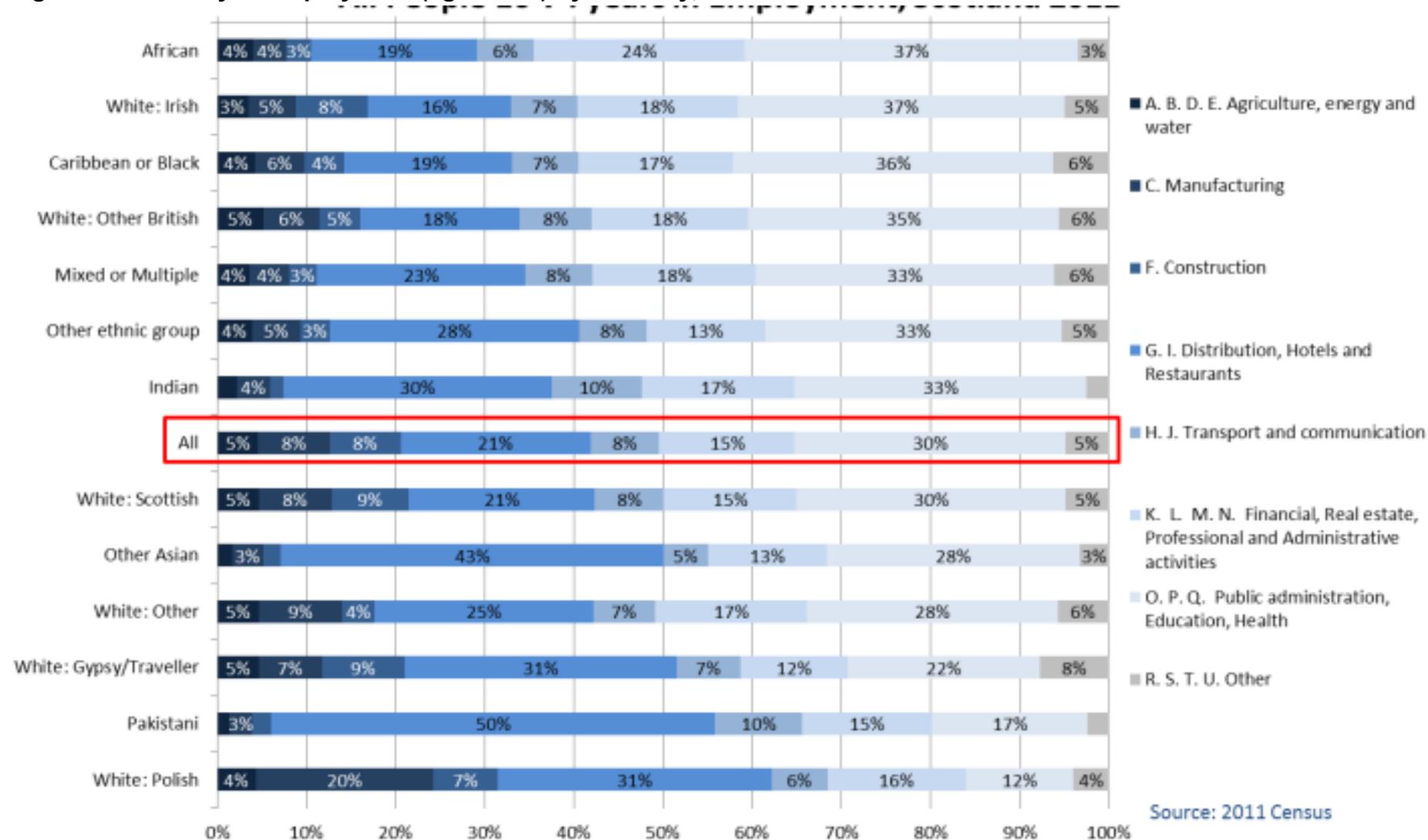
EMPLOYMENT EXPERIENCES

The statistical data presented above shows that higher educational attainment is not leading to higher rates of labour market participation for all ethnic groups.

A review of research and statistics conducted by Heriot Watt University (Netto et al, 2011) notes:

"High unemployment rates, stronger gender-biased employment patterns in certain groups and lack of knowledge regarding the extent to which self-employment (high in certain groups) is a positive choice or an alternative route to employment, [are]... areas of concern."

Figure 11: Industry of employment (age 16-74) by ethnicity, 2011



Source: Scottish Government (2015b)

The authors go on to highlight the need for “a major study” into the employment and unemployment experiences and aspirations of different ethnic minority groups. It proposes that this should focus on “the nature of discriminatory practices experienced in the workplace” including what happens at the point of recruitment and throughout time in employment.

A paper produced by Glasgow Works in 2011 highlights:

“As with the white Scottish population, there are considerable differences in the characteristics and circumstances of people with and across different ethnic minority groups” (Glasgow Works, 2011)

These differences can relate to:

- Levels of training and education
- Where people live i.e. availability of employment opportunities
- Gender, disability and age
- Level of English language fluency
- Discrimination e.g. unequal treatment by employers as a result of ethnicity, colour or religion.
- Cultural factors that affect the way in which, and whether, a person interacts with the labour market.

Some of the barriers faced by ethnic minority groups are the same as for other groups, for example, access to high quality, trustworthy and affordable childcare. However, the authors suggest that discrimination is likely to be the key factor affecting entry to and progression within the labour market.

Research has shown that ethnicity (or perceived membership of a specific ethnic group) identified by the name used on a job application can affect whether a person makes it through the first round of sifting. There is other evidence that, even when shortlisted at this sifting stage, ethnic minority groups are less likely to be successful in being selected for the advertised job.

The authors also suggest that discrimination is the reason many people from ethnic minority groups have difficulty progressing into more senior roles. As well as experiencing segregation into certain sectors (such as catering and hospitality) there is evidence of “underemployment” (not working to the level of skill held). For some people there is evidence of a lack of sustained continuity in the same job, which may, in part, relate to experiences of isolation and harassment at work.

POSITIVE ACTION

An important part of the Equal Opportunities Committee inquiry is to reflect on the positive steps that employers are, and could be, taking to increase the participation of ethnic minority groups in the labour market.

Under the Equality Act 2010, employers are required not just to tackle discrimination as this affects groups and individuals protected by this legislation, but also to foster good relations and promote equality. Guidance on how to promote equality highlights the potential for employers to pursue “positive action” (ACAS, 2014). Employers are not required to pursue positive action. This is merely explained as one option that employers can use to promote equality in the workplace.

Positive action can be used to combat the under-representation of ethnic minority groups in employment (Race on the Agenda, 2006). It seeks to address the disadvantages that prevent individuals and specific groups competing on an equal basis in the labour market. It is also a means to help ensure that under-represented groups are offered equal opportunities to participate in more skilled or senior positions in proportion to their presence in the job market.

The ACAS guidance (2014) highlights that the Equality Act 2010 allows an employer to take positive action if it thinks that employees or job applicants who share a particular protected characteristic suffer a disadvantage as a result of that characteristic, or if participation in employment is disproportionately low. An example of this would be the “two ticks” scheme used by accredited employers in the employment of disabled people. The scheme means that accredited employers agree to interview all disabled applicants where they meet the minimum criteria for a job vacancy, and that the employer considers the applicant’s abilities in making their selection (Department for Work and Pensions, 2015).

Taking positive action means in situations where two candidates are “as qualified” as each other to fill a job vacancy, the one from the group that is under-represented can be selected. While both candidates do not have to hold the same qualifications, the selection process should allow all applicants to demonstrate that they have the necessary skills and competencies to fulfil the role. This approach is only applicable where there is evidence that the group in question is underrepresented or faces particular difficulties in employment.

Positive action is distinct from positive discrimination, although people often use the terms interchangeably. While positive action is legal, positive discrimination is not. Positive discrimination occurs where members of a particular group are given preference over others for no reason other than belonging to that group, rather than

on grounds such as holding the equivalent qualifications or skills to be able to perform the role effectively.

The Equality Act does not allow recruitment or promotion processes to treat ethnic minority groups more favourably than other employees. The decision about recruitment and promotion should first and foremost be based on abilities, merit, skills and qualifications. To favour someone on the grounds of ethnicity - without taking full account of the candidates' qualifications, abilities or skills – is not lawful regardless of whether any favouring of specific candidates is directed toward ethnic minority groups or to the white majority population (O'Conneide, 2012).

ANNEXE 1 – THE SCOTTISH POPULATION BY ETHNICITY

White: Scottish	4,445,678	83.95%
White: other British	417,109	7.88%
White: Irish	54,090	1.02%
White: Gypsy / Traveller	4,212	0.08%
White: Polish	61,201	1.16%
Other white	102,117	1.93%
Total: white	5,084,407	96.02%
Mixed or multiple ethnic groups	19,815	0.37%
Asian, Asian Scottish or Asian British: Pakistani, Pakistani Scottish or Pakistani British	49,381	0.93%
Asian, Asian Scottish or Asian British: Indian, Indian Scottish or Indian British	32,706	0.62%
Asian, Asian Scottish or Asian British: Bangladeshi, Bangladeshi Scottish or Bangladeshi British	3,788	0.07%
Asian, Asian Scottish or Asian British: Chinese, Chinese Scottish or Chinese British	33,706	0.64%
Other Asian, Asian Scottish or Asian British	21,097	0.40%
Total: Asian, Asian Scottish or Asian British	140,678	2.66%
African: African, African Scottish or African British	29,186	0.55%
Other African	452	0.01%
Total African	29,638	0.56%
Caribbean or Black: Caribbean, Caribbean Scottish or Caribbean British	3,430	0.06%
Caribbean or Black: Black, Black Scottish or Black British	2,380	0.04%
Other Caribbean or Black	730	0.01%
Total: Caribbean or Black	6,540	0.12%
Arab, Arab Scottish or Arab British	9,366	0.18%
Other ethnic groups	4,959	0.09%
Total Scottish population	5,295,403	100%

Source: Scotland's Census 2011 (National Records, 2013)

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