



The Scottish Parliament  
Pàrlamaid na h-Alba

**Equalities and Human Rights Committee  
Christina McKelvie MSP  
Convener**

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16 February 2017

Dear Chief Executive,

**Making the most our equalities and human rights levers**

I am writing to you today to ask for your assistance in gathering information on local authorities approach to their budget process. We are interested in how your council takes account of national and local equalities and human rights priorities. The aim of gathering this information is to facilitate the sharing of best practice amongst public authorities, including the Scottish Government.

It might be helpful if I set out some background to our recent work in this area. We undertook an [inquiry](#) in advance of the Scottish Government's Draft Budget 2018-19 to allow us to focus our attention on the various equalities and human rights tools that can be utilised to inform its budget process. Our report, [Looking Ahead to the Scottish Government's Draft Budget 2018-19: Making the Most of Equalities and Human Rights](#), was published on 10 December 2017. The Scottish Government responded to our report on [25 January 2018](#). We also held a debate in the Parliament on [6 February 2018](#) to encourage further discussion about how the Scottish Government and public authorities approach their budgets from an equalities and human rights perspective.

Our report supports and builds on the work of the [Budget Process Review Group](#), which looked at proposals for a revised budget process for the Scottish Government

that is consistent, as far as possible, with the principles of the Financial Issues Advisory Group. The Review Group published its [final report](#) which makes recommendations for changes to the budget process for future years expected to be implemented in time for the 2019-20 cycle. A key feature of the Review Group recommendations for the Scottish Parliament was the importance of embedding equality scrutiny in the budget process.

Before I set out the detailed information we are seeking to gather, I'd like to draw your attention to some of the findings and recommendations in our Report which are relevant to public authorities and, in particular, to local authorities as autonomous bodies:

#### *Public authorities' implementation of national equality priorities*

- We are concerned that national policy does not always translate into local action. Examples were provided to us where national equalities priorities were not being fully implemented due to lack of resources or political will. These included the implementation of Part 1 of the Children and Young People (Scotland) Act 2014 which saw a cut in the number of children's rights' officers, the Community Empowerment (Scotland) Act 2015 and Gypsy Traveller site development. We have asked the Scottish Government to consider ring fencing on a case by case basis and where appropriate to individual funding streams.

#### *Linking budget scrutiny to the public sector equality duty*

- We sought views on the impact the 2017-18 Budget had on supporting the Public Sector Equality Duty (PSED). Evidence suggested this was difficult to answer, but the perception of the Equalities and Human Rights Commission was "use of the duty across the public sector is that budgetary issues are rarely examined in detail through the lens of the duties – rather it is the policies that the budget enables that deliver the equality gains rather than the budget itself". There was a suggestion the Scottish Government could exercise greater authority and direction of public bodies in the implementation of the Duty.

#### *Local authority mainstreaming of equalities*

- In response to whether there was good practice in mainstreaming at local authority level, witnesses said the Scottish Government should be leading by example, whilst others considered the issue was worse at local authority level. We noted the current review of PSED and agreed to write to local authorities to gain a better understanding of their budgetary processes and how this fits with mainstreaming of equalities.

As part of our drive to share best practice, we would very much like to gather information about the ways in which equalities and human rights are taken account of in your budget process.

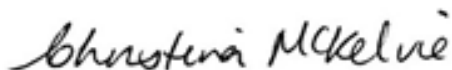
- How are equalities taken into account in your budget process? Please include information on whether they are considered at the budget setting stage, on a case by case basis, include national equalities priorities, or in some other way.

- What use have you made of the information gathered through the Public Sector Equality Duty to inform your budgetary processes?
- How do you make the equalities aspects of your budget decisions transparent to the public?
- Please provide an example of best practice in equality budget decision making or any guidance relating to equalities and the budgetary process.
- What is your understanding of taking a human rights' approach to budgeting.

The information you provide will help to shape our future inquiry work and our continuing focus on scrutinising the equalities and human rights aspects of the Scottish Government's budget.

We really appreciate your assistance with our request and would be grateful for a response by 31 March 2018, via email to [equalities.humanrights@parliament.scot](mailto:equalities.humanrights@parliament.scot). If you have any questions please contact the Committee Clerk on this email address or by ringing 0131 34 85217.

Yours sincerely,



Christina McKelvie  
Convener  
Equalities and Human Rights Committee

cc: Convener of the Finance and Constitution Committee  
Convener of the Local Government and Communities Committee  
Angela Constance MSP, Cabinet Secretary for Communities, Social Security and Equalities  
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