



Pauline McNeill MSP
Deputy Convener, Social Security Committee
The Scottish Parliament
Edinburgh
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Dear Deputy Convener,

Stage 1 Consideration of the Social Security (Scotland) Bill: Equality Amendments

As part of the Social Security Committee's Stage 1 consideration of the Social Security (Scotland) Bill, the Coalition for Racial Equality and Rights (CRER), Scottish Women's Aid (SWA), and Engender have compiled a short briefing detailing key equality amendments that we believe would considerably strengthen the Bill.

This joint briefing reflects concerns raised by [CRER](#), [SWA](#) and [Engender](#) in our submissions to the committee's call for evidence.

Equality Principle

In Part 1, Section 1, at end insert: "Equality of outcome for groups who share one or more protected characteristic is to be embedded in the Scottish social security system."

While CRER, SWA and Engender welcome the current principles and the emphasis on human rights, we note the absence of an equality-focused principle. The International Covenant on Economic, Social, and Cultural Rights provides an obligation for states to, "guarantee that the right to social security is enjoyed without discrimination and equally between men and women." We know that a disproportionate number of women rely on social security for their safety and well-being, and that BME groups are twice as likely as white British groups to live in poverty.

Human rights, dignity, and fairness cannot be achieved fully without equality. As poverty is more likely to affect certain protected groups, equality should be a principle which is embedded throughout the Bill, regulations, and system to ensure already disadvantaged groups do not face further discrimination and disparity. The [Equality Impact Assessment](#) for the Bill states that the devolution of benefits is an opportunity to, "promote fairness and equality." We ask that the Scottish Government take advantage of this opportunity by embedding equality and a particular concern for groups who share a protected characteristic in the principles of the Bill.

Charter

In Part 1, Section 3 (3), at end insert: "such persons and organisations who work with or represent individuals living in households whose income is adversely affected, or who expenditure is increased, because a member of the household has one or more protected characteristic."

CRER, SWA and Engender welcome the development of a charter and the commitment to consult those individuals in receipt of the listed benefits in the preparation of this charter. However, we feel the inclusion of equality groups most likely to face poverty – e.g. women, BME groups, and disabled people – would further benefit the charter and ensure that particular barriers and challenges that face these groups are brought into consideration.



The Equality Impact Assessment for the Bill noted a strong consensus from consulted groups that the Scottish Government should, “work closely with people with direct experience of the system, including those with protected characteristics.” We believe this approach should be made explicit in the Bill.

We know that if equality is not a requirement from the beginning of policy development, it can become an ineffective afterthought or add-on. In relation to the creation of a Scottish social security system, it is evident in the lack of consideration of race equality issues throughout the EQIA and within the [quantitative analysis of the Social Security Experience Panels](#) that this has been the case thus far. With respect to women, the EQIA for the Bill made the assumption that the new policies and practices of the social security system in Scotland would have a positive impact on women by virtue of women making up the majority of recipients of certain social security programs (e.g., Carer’s Assistance, Early Years Assistance). While it is true that women will be the majority of recipients of social security, the existing analysis does not assess how the proposed policies and practices would impact women, would mitigate inequalities in women’s access to economic resources, or would advance women’s economic equality. When equality is not embedded throughout the policy development process, it is simply not effective.

These concerns were expressed during parliamentary scrutiny of the Child Poverty (Scotland) Act. The language we have put forward in our suggested amendment mirror the language accepted by the Scottish Government at Stage 3 consideration of the Child Poverty (Scotland) Bill.

In Part 1, Section 5 (3), at end insert: “The persons consulted must include such persons and organisation who work with or represent individuals living in households whose income is adversely affected, or who expenditure is increased, because a member of the household has one or more protected characteristic.”

We note the duty on Ministers to review the charter regularly. Equality must be central to this process to ensure that potential disparities experienced by equality groups which could be addressed by a change to the charter are not overlooked. As such, we ask that an amendment to the Bill be put forward which would require Ministers to consult these groups in the review of the charter.

Annual Report

In Part 1, Section 6 (2), at end insert: The annual report is to include equality monitoring data for each stage of the social security process to ensure persons living in households whose income is adversely affected, or whose expenditure is increased, because a member of the household has one or more protected characteristic are not experiencing disparity. Where this data is not held, there must be a published plan to collect and publish this data in the future.

The Equality Impact Assessment for the Bill noted the lack of data published regarding equality and social security, which highlights the significant need for better data collection and monitoring. The Scottish Government [Equality Evidence Strategy](#) also notes gaps in relation to social security take-up data by ethnic group, social security caseload data by gender, and intersectional gender data around social security.

As such, CRER, SWA and Engender believe further specification is needed in the Bill to detail what must be included in the annual report, with particular concern for the gathering and publication of equality monitoring data. An equality analysis, published as part of the annual report, would allow the Scottish Government to identify and respond to equality groups who may be experiencing disparate outcomes.

If this requirement is made explicit in the Bill, it may further encourage the Scottish Government to ensure mechanisms for gathering and publishing equality monitoring data in relation to the Scottish social security system



are in place from the start. This would ensure the data needed is available and that systems will not require alternation to obtain this data, as current systems often prohibit gathering this type of data.

CRER, SWA and Engender look forward to continuing to engage with the Social Security Committee on its efforts to strengthen the proposed legislation, and we would be pleased to provide further information if it would be of assistance to Committee members.

Yours sincerely,

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