

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 4 December 2007

Session 3

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EQUAL OPPORTUNITIES COMMITTEE

7th Meeting 2007, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE MEMBERS

*Marlyn Glen (North East Scotland) (Lab)

*Bill Kidd (Glasgow) (SNP)

Michael McMahon (Hamilton North and Bellshill) (Lab)

Hugh O'Donnell (Central Scotland) (LD)

*Sandra White (Glasgow) (SNP)

*Bill Wilson (West of Scotland) (SNP)

COMMITTEE SUBSTITUTES

Claire Baker (Mid Scotland and Fife) (Lab)

Jamie Hepburn (Central Scotland) (SNP)

Mary Scanlon (Highlands and Islands) (Con)

Jim Tolson (Dunfermline West) (LD)

*attended

THE FOLLOWING ALSO ATTENDED:

Johann Lamont (Glasgow Pollok) (Lab)

THE FOLLOWING GAVE EVIDENCE:

Stewart Maxwell (Minister for Communities and Sport)

Duncan Macniven (Registrar General for Scotland)

Peter Scrimgeour (General Register Office for Scotland)

Yvonne Strachan (Scottish Government Public Health and Wellbeing Directorate)

CLERK TO THE COMMITTEE

Terry Shevlin

ASSISTANT CLERK

Roy McMahon

LOCATION

Committee Room 1

Scottish Parliament

Equal Opportunities Committee

Tuesday 4 December 2007

[THE CONVENER *opened the meeting at 11:03*]

Decision on Taking Business in Private

The Convener (Margaret Mitchell): Good morning and welcome to the seventh meeting of the Equal Opportunities Committee in session 3. I remind all those present—including members—that mobile phones and BlackBerrys should be switched off completely. They interfere with the sound system even when they are switched to silent.

We have received apologies from Michael McMahon. Hugh O'Donnell may be able to join us. I am pleased to welcome Johann Lamont, who has joined us for items 2 and 3.

Agenda item 1 is to seek the committee's approval that, when we discuss our draft report on the budget, the item be taken in private. Is that agreed?

Members *indicated agreement.*

Scottish Government's Approach to Equal Opportunities

11:04

The Convener: Agenda item 2 is on the new Scottish Government's approach to equal opportunities. I am pleased to welcome the Minister for Communities and Sport, Stewart Maxwell, who is accompanied by Yvonne Strachan, who is head of the Government's equality unit. I invite the minister to make a brief introduction.

The Minister for Communities and Sport (Stewart Maxwell): I thank the committee for inviting me to appear before it to outline the Scottish Government's commitment and approach to equality.

Let me first repeat that the Government is, as I said in Parliament last week, committed to promoting equality and to tackling the structural and systemic bias, discrimination and prejudice that sustain disadvantage and inequality. We want a fair and equal Scotland in which everyone has the freedom, choice, control and opportunity to be all that they can be. We are clear that work needs to be undertaken across the range of equality interests—race, gender, disability, age, sexual orientation, faith and gender identity—and we will continue our work on mainstreaming and driving forward on the public equality duties.

We will do that in concert with our partners. In that regard, we welcome the current discussions with the Convention of Scottish Local Authorities on the joint statement on equality. We also look forward to working with the new Equality and Human Rights Commission.

During 2008, we will update our equality strategy and we will draw on the debate and dialogue that have taken place on the equalities review and the discrimination law review. The equalities review has thrown up challenges about what we mean by equality, how we measure it and what we should focus on. The discrimination law review presents us with options for a new and more harmonised legislative framework. We are reflecting on what both reviews mean for Scotland and we will come to decisions in due course.

I will stop there in order to minimise the amount of the committee's time that I take up.

The Convener: Thank you, that is helpful.

In view of the fact that there is no consistent and clear understanding of the causes of inequality and what to do about it, does the minister agree that we need a new definition of what is meant by

equality with particular reference to equal opportunities and equality more broadly?

Stewart Maxwell: In general terms, yes—I agree that that is the case. Our society's understanding of these issues has moved on every year over the past 30 or 40 years. There has been a sea change in public opinion about what these things mean and how they are defined. Government—both at United Kingdom level and, more recently, at Scottish level—has been very much involved in that process. I do not think that, over time, such things can be fixed because, in some senses, they are a reflection of society's views and, on the other hand, they lead society to what is hopefully a more enlightened approach to the different communities that exist within it.

The Convener: The term “equity” is often used now. In the mind of the Scottish Government, is there a distinction between the definitions of equality and equity?

Stewart Maxwell: We are in favour of both. Equity means fairness, in my view. Clearly, we absolutely support fair treatment for all our citizens. Equality, according to a dictionary definition, means the same treatment for everyone. Obviously, that is not the definition that we take. Equality is about equality of opportunity. It is about providing different support levels for different groups in society to ensure that they get equality of opportunity to be all they can be, to maximise their potential and to maximise their opportunities in society to achieve what they want to achieve for themselves, their families and their wider social group. For us, equality is about providing that opportunity as much as Government can. Equity is about ensuring that we do so in a fair way.

The Convener: That is useful to have on the record.

Sandra White (Glasgow) (SNP): Before I ask my questions, I want to pick up on that difference between equality and equity. In the minister's opening statement, he mentioned the joint statement with COSLA on equality and he also mentioned the treatment of people. Will the supporting people fund and funding to tackle violence against women be included in that joint statement with COSLA? Will it also talk about equity and equality?

Stewart Maxwell: We have not finalised the statement. We are currently in discussions with COSLA on what the statement will contain, so it would be slightly presumptuous of me to put my view on the record at the moment. The statement on equality, which we look forward to issuing as soon as possible, will deal with that in general terms. We hope to issue it early in the new year—it will certainly be in the new year. However, it

would be politic of me to wait and have discussions with COSLA on the specifics before we come to a final conclusion.

Sandra White: Thank you. I will ask my original question, convener. Sorry about that.

Legislation and policies that are relevant to equal opportunities have often focused on the six strands: age, disability, gender, race, religion or belief and sexual orientation. Does the minister feel that certain other grounds for discrimination that are listed in the Scotland Act 1998—such as “social origin”, “other personal attributes” and “political opinions”—have been overlooked, and is it likely that there will be any legislation or policy relevant to those grounds?

Stewart Maxwell: That is a difficult question. I go back to my answer to the question that the convener asked: such things change over time; they are a moveable feast. In broad terms, we want to ensure that everybody is able to exercise choice and has the freedom to choose the lifestyle that best suits them whether because of their cultural background, ethnic background, sexual orientation, age or any other reason, such as political or other views, which Sandra White mentioned. To be frank, we want people to have the maximum opportunity to—I was going to say “indulge in”, but that is the wrong phrase—take forward those issues themselves with their families and colleagues.

I would struggle to say that it was in our minds to legislate on the extra grounds for discrimination that you mentioned but, to be honest I would never rule anything out because life changes and society's views change, which is a good thing. I would never say never.

Sandra White: We might hold you to the statement that you would never say never.

Equal opportunities includes the prevention, elimination or regulation of discrimination. How does the Scottish Government intend to identify and prioritise the types of discrimination that it wishes to combat?

Stewart Maxwell: There are a number of ways. We work in close harmony with our COSLA and local authority partners and we work in close partnership with a number of organisations in Scottish society that focus on the different strands and the different areas of work.

Are you trying to ask me something specific? We work closely with all those groups to identify problems. Any group or individual can bring problems to our attention. Is there anything more specific than that?

Sandra White: I am asking whether you are prioritising various degrees of discrimination.

Stewart Maxwell: We are not prioritising.

Sandra White: I am not saying that you are, just asking whether you have a mind to prioritise certain types of discrimination or whether they will all be treated equally.

Stewart Maxwell: Oh, I see. The answer is no, I do not have a mind to discriminate among different discriminations. To be honest, that would be a rather odd way of tackling the issues. We try to treat all groups equally. It would be rather puzzling to individuals who face discrimination because of their sexual orientation, ethnicity, gender or whatever reason if we thought that some of those areas were more important than others. To the individuals, they are all equally important and it is important that the Government views the matter in that way.

Elaine Smith (Coatbridge and Chryston) (Lab): Having had some time to settle into your portfolio since we met you at our away day, have you been able to reflect on the Parliament's devolved powers on equal opportunities? Could they be used more widely?

Stewart Maxwell: I am sure that you will not be surprised to learn that I do not think that we have enough powers on equal opportunities. I will be interested to watch the debate on the Parliament's powers that is about to begin among the political parties. It is important that Parliament use its powers to the best of its ability. However, a balance has to be struck: we must drive forward the equality agenda with our partners in COSLA and elsewhere, but we must not micromanage the situation. The lead will often come from the people—in local authorities and other organisations—who work on the ground.

Government's role is to set the agenda in the high-level policy areas, but it must also act in a supporting role when organisations have particular difficulties. Government must adjust policy and legislation as necessary.

11:15

Elaine Smith: I might come back in a moment to ask what you might have in mind to do with further devolved powers.

You mentioned micromanagement, and Sandra White mentioned the supporting people fund. You will know that a recent report showed that Scotland has the most equitable distribution of support services with regard to violence against women. The reason that was cited for that was that the Scottish Government has been developing a strategic approach to addressing violence against women. Funding of certain services was ring fenced. Are you concerned that that might

change if you take a step back because of worries that you are micromanaging?

Stewart Maxwell: The violence against women budget remains ring fenced, as does the equalities budget.

We have removed ring fencing from the supporting people fund. However, the money is still there. It is in the local government settlement, so local government partners can carry on their work and support the organisations that are delivering services on the ground.

Local government is subject to equalities duties in the same way as the Scottish Government is; local government is responsible for promoting equality and eliminating discrimination in the same way as we do. I therefore see no reason to suspect that local government will suddenly drop that work.

In my meetings with local government, I have found that people are as signed up as we are to this work. They want to provide support to many local groups. In various parts of the country, people have specifically pointed out to me how funds have been used to support women's refuges and other types of work. They support such work. They have an agenda and they have duties, and they are signed up to the strategic objectives and outcomes that we seek. One of the main objectives is fairness. I see no reason to suspect that local government would withdraw from that.

Elaine Smith: I hope that you are right. Obviously, you will be keeping an eye on that. Over many years, people have fought to provide services to tackle violence against women.

You mentioned further devolved powers and we might write to you about that. We would be interested to hear your ideas.

Stewart Maxwell: I would be happy to answer any questions in detail.

The Convener: That would be helpful. We may not manage to cover everything today, so we may write to you with any outstanding questions.

Johann Lamont (Glasgow Pollok) (Lab): I will be brief. What discussions have you had with women's organisations about their reservations about your position on the supporting people fund? You will know that homelessness organisations and housing organisations have also expressed reservations. Prior to decisions being taken on the budget, what discussions did you have and what discussions did the minister responsible for finance have?

In an interview with *The Big Issue in Scotland*, you have said that you would be willing to contemplate ring fencing the supporting people budget again. You will know that organisations are

now arguing that, even if we have to wait until single outcome agreements are decided, doing that now would restore confidence among those who are expressing reservations. It may be that you do not have any reservations, but some people do. Have you held meetings to discuss why people have those reservations?

Stewart Maxwell: I have met a number of the organisations that are represented on the national group to address violence against women, and we have discussed budget issues and ring fencing. The most recent meeting was last week. People gave me their views on ring fencing and told me of their concerns for the future. We discussed the issues in some detail. However, I do not believe that there is any reason why local authorities would withdraw from that work.

Johann Lamont: Would you therefore accept that there is a reasonable halfway house? Until the single outcome agreement is decided, ring fencing should remain.

Stewart Maxwell: No, I do not accept that. We have agreed with COSLA that the money will be part of the local government settlement. COSLA, like us, is still bound by the equality duties.

I will ask a question that may be part of my answer. Do you have any evidence to suggest that local authorities will withdraw from the work? I would be surprised if local authorities did not feel that work on tackling violence against women, and all the other work that is done in this area, was of real value. That is the impression that they have given me.

Marlyn Glen (North East Scotland) (Lab): I think that everybody welcomes your commitment and wants to share in your hopes. However, we want an indicator to show that we are going forwards and not backwards. The single outcome agreement does not contain a national outcome or indicator that reflects the efforts to tackle violence against women, children and young people. We want a benchmark, so that next year you can come back and tell us that things have improved. Of course, we would welcome any such improvement.

Stewart Maxwell: One of the five strategic objectives is about fairness, and one of the 15 national outcomes is about tackling significant inequalities in Scottish society. The direction of travel is clear. The First Minister, the Cabinet Secretary for Justice and I have made clear statements about this. Our commitment, and our expectation of the outcomes, are clear.

Marlyn Glen: We do not doubt that, but we want an indicator.

Stewart Maxwell: The point I am making is that local government is signed up to exactly the same agenda. There is no doubt about that.

You have to remember that we have not completed the process. We are still in negotiation with local authorities and COSLA on putting in place single outcome agreements.

Marlyn Glen: So there might be indicators.

Stewart Maxwell: Other than the current top-level ones.

Bill Wilson (West of Scotland) (SNP): Did you say that the supporting people programme was now part of COSLA's work and part of the outcome agreements, but that funding to tackle violence against women was still ring fenced? Or did I mishear you?

Stewart Maxwell: No, that is correct. The supporting people budget was rolled up into the local government settlement, but the violence against women budget was not. It is ring fenced.

The Convener: Thank you for clarifying that, minister.

Elaine Smith: I want to turn to Patrick Harvie's proposal for a private member's bill on expanding hate crime legislation to protect disabled and lesbian, gay, bisexual and transgender people. Does the Government intend to legislate on these issues itself, or will you support Patrick Harvie's proposal? Gender is not included, and people feel strongly that it should be.

Stewart Maxwell: The Cabinet Secretary for Justice has made clear our commitment to expand hate crime legislation, specifically to cover disabled people and the LGBT community. Whether the means will be Patrick Harvie's bill or Government legislation is still under discussion. However, we have said that we will introduce legislation at a suitable opportunity. Discussions are on-going with Patrick Harvie on what he is trying to achieve and what we are trying to achieve, and whether we can achieve it together through legislation.

Elaine Smith: Do you intend to include hate crimes against women in that legislation?

Stewart Maxwell: We will have that discussion when we introduce the legislation. We intend to introduce legislation on hate crime. We have made commitments so far on disability and the LGBT community, but I am sure that the Cabinet Secretary for Justice will be open to further discussions about what the legislation would cover.

Bill Kidd (Glasgow) (SNP): Does the minister agree with witnesses who took part in the committee's round-table discussion last week on barriers to mainstreaming that the concept of

mainstreaming is not always well understood by the public, and that the public is persuaded by the view that in order to provide equal opportunities, some groups may have to be treated differently from others? How do we persuade them that mainstreaming does not mean taking away rights or resources from groups that are not included?

Stewart Maxwell: I read the *Official Report* of that meeting. Attitude change is probably the most difficult thing for any society to try to achieve. It can be seen in many areas of work that changing people's attitudes is often a long, drawn-out process. We are committed to achieving attitude change so that there is not a perception among the public that people who fall within certain groups are in some way being treated better than other groups, when in fact the opposite is the case. It is a perception rather than a reality.

I pay tribute to the work of the previous Administration when I say that we have tried as far as possible to ensure that Scottish society is fair and equitable. We want the public to understand why we carry out that work, why we spend money on, for instance, public information campaigns, and why—despite some elements in the media foaming at the mouth about such spend—public money goes to support campaigns on discrimination against, for example, asylum seekers and ethnic groups. It is interesting that some members, too, ask a lot of parliamentary questions about the money that is spent on that. The vast majority of members are signed up to spending that money to ensure that the public understand the importance of supporting groups who are discriminated against and allowing them the maximum opportunity to achieve what they want to achieve. That does not mean treating everybody equally. There is a misunderstanding in society that there is a kind of flat line that creates disadvantage and discrimination, and that we have to treat groups differently in order to provide them with equal opportunity. That is a difficult message to explain, but we will continue to try to do it.

Bill Kidd: Rather than hoping you can hit the issue with a scattergun of public information, do you intend to discuss with the Cabinet Secretary for Education and Lifelong Learning the possibility of bringing that through more strongly in schools?

Stewart Maxwell: Public information is just one of the ways of ensuring that people are aware of Government messages. Bill Kidd's broader point, about getting people young and educating them about fairness, equality and antidiscrimination, is correct. I am supportive of early years intervention in many areas. The Government has prioritised that, not only to ensure that children grow up with the kind of attitudes that we want to be held throughout Scottish society, but to address fitness issues and anti-poverty measures. There are a

range of things we want to achieve, and we very much believe that intervening in the early years is the way to achieve them.

I met the Cabinet Secretary for Education and Lifelong Learning about general issues in my portfolio that overlap with education. However, as I am sure you are aware, there is a ministerial group on health inequalities, which is discussing a wide range of issues, probably beyond health inequalities. I assure you that there is constant co-operation and communication between the various ministerial portfolios. We understand that elements of virtually everything we do fall into other portfolios, so cross-Government working is exceptionally important if we are to achieve the outcomes and objectives that we have set ourselves.

11:30

Bill Kidd: There is a cross-cutting impact for Government as well as challenges for equal opportunities in our society's increasing diversity due to increased migration, which is generally from eastern Europe. In the past two years, 2,000 east Europeans have moved into Glasgow's Govanhill area, where they are exploited by private landlords and crammed into small and unsuitable accommodation. To alleviate that situation, the local public services that try to support those new arrivals will no doubt look for increased input from different Government departments. How might that situation be tackled?

Stewart Maxwell: Let me say two things. First, through landlord registration we want to ensure that we drive up standards in the private rented sector, where there is a problem with individuals such as those to whom Bill Kidd alluded. Clearly, it is unacceptable if the appropriate rules and laws are being broken. Landlord registration was introduced to ensure that we identify all those who work in the sector and to ensure that we do not allow landlords to treat people as has been suggested. Local authorities are taking that forward, but I have been driving them to complete the landlord registration process as quickly as possible so that we can start the whole process of raising the game in the private rented sector.

A second more general point is that, if a problem in a specific area—in this example, Glasgow—means that support services will be required, it is important that we get early sight of any difficulties that are caused by unexpected and unplanned-for events. An example of that might be the sudden inward migration of eastern European workers, who are here to try to gain opportunities for themselves and their families. If such sudden changes in dynamics occur, we will want to be involved in the discussions about how we assist the area. Obviously, local authorities have the

primary role in dealing with such issues locally. If they are unable to cope because of a particular crisis or emergency, I will be more than happy to discuss the matter with them. However, at this stage, I cannot say for definite that we will do X, Y and Z until we discuss the detail.

Bill Wilson: Before I start my other questions, I want to go back to the minister's previous response to Bill Kidd. We are trying to include pupils with disabilities in mainstream schools. Has any effort been made to gather data on the attitudes of non-disabled pupils to pupils with disabilities prior to and after the movement of pupils with disabilities into mainstream schools? It occurs to me that such data might be useful in considering how to tackle other discriminatory attitudes.

Stewart Maxwell: To be honest, I am not aware that such data exist, but I will check. Perhaps I can provide information in writing afterwards about whether such data exist and what sorts of details might be available.

Bill Wilson: That would be excellent. It occurs to me that we would need to have gathered the baseline data before large numbers of pupils with disabilities went into those schools, so there would have been a short time period during which baseline data could have been gathered. Thanks for that answer—

The Convener: The minister has indicated that he will respond in writing, so I think we can move on.

Stewart Maxwell: As a general point, I visited a school in Musselburgh, just outside Edinburgh, on Friday, where I saw how children who have a variety of disabilities have been mainstreamed. I thought that the school was dealing with that in a fantastic way. The schoolchildren are very aware of disabilities but have positive attitudes towards the children with disabilities. As far as I could see during my half-day visit, they were treated with due respect and great interest was taken in them, just as people rather than as people with disabilities. Positive work is taking place, but I accept the point that has been made and I will write to the convener on the matter.

Bill Wilson: Carol Fox, one of the witnesses at a recent round-table discussion to which Bill Kidd referred, called for a more collective approach to litigation in order to challenge workplace discrimination. We realise that there are reserved dimensions to that, but do you agree that there are options for the Scottish Government in that area, such as greater use of alternative dispute resolution?

Stewart Maxwell: You are right that that is a reserved matter, although I am sure that you and I would share the view that it should not be. Beyond

that, mediation and alternative dispute resolution clearly have a role to play. The Cabinet Secretary for Justice would take the lead on that work. The legislation is currently reserved and we are not able to change that, but I would not resist the use of mediation and alternative dispute resolution. From my time on the justice committees in the previous session, it seems to me that we do not make enough use of those avenues. Many disputes and problems can be resolved before they get to the point at which they have to go before the courts.

The Convener: We are pressed for time, minister, so we will have to cut short the questioning on the Government's approach to equal opportunities. However, I will ask one last question about the disability inquiry. You may recall that, at the committee's away day, we alerted you to our intention to ask the various ministers across the portfolios about progress on the recommendations in the previous Equal Opportunities Committee's report on its disability inquiry. Have you written to your colleagues to alert them to the fact that the committee intends to seek evidence from them? Have you discussed with them the new Government's approach to the recommendations?

Stewart Maxwell: I am slightly surprised by the question, because I believe that we have a full evidence-taking session on disability on 18 December. Is that correct?

The Convener: You may recall that, at our away day, we suggested that, as it was a cross-cutting issue, we would take evidence from the ministers in the relevant portfolios. I was trying to follow that up.

Stewart Maxwell: To be honest, I cannot recall whether that has been done. I will check and, if it has not been done, I will ensure that it gets done.

The Convener: That would be helpful. I take it that there have been no discussions with your colleagues.

Stewart Maxwell: There have been no formal discussions on that point specifically.

Marlyn Glen: Will the race equality statement and action plan be issued for consultation? When will that be?

Stewart Maxwell: I cannot give you a specific date, but they will certainly be issued in the new year.

Marlyn Glen: In the new year?

Stewart Maxwell: Yes. We will issue them as soon as possible, but we will not get a chance to do it until after the new year.

The Convener: Thank you for your evidence. We did not have time to get to a number of

questions, so we will write to you. When could we realistically expect a reply to those questions?

Stewart Maxwell: It depends on what your letter asks. I will reply as soon as possible, but it depends on the detail for which you ask.

The Convener: I suppose you cannot say any fairer than that. We will not be too hard on you.

Budget Process 2008-09

11:39

The Convener: The next item concerns the budget process. I welcome Stewart Maxwell and Yvonne Strachan again and invite the minister to make a brief introductory statement before questions.

Minister, do you have to be away by 12.40 pm?

Stewart Maxwell: Yes, unfortunately. I am speaking at an LGBT conference in another part of the country this afternoon.

The Convener: Right. We will try to cover all the questions that are in our briefing. The time is short for us to prepare our draft budget report and members have a lot of questions that they want to get answers to on the record.

Stewart Maxwell: I understand. I will make my opening remarks as quickly as possible.

Thank you for the opportunity to appear before the committee and make these remarks on the budget. I will start with the spending review, in particular the provision for equality work. The equalities budget will be increased year on year during this spending round. The current baseline is £14.4 million. That will rise to £18.8 million in 2008-09, to £20.8 million in 2009-10 and to £21.4 million in 2010-11. The bulk of the increase will be directed to supporting work on violence against women and supporting women and children who are experiencing domestic abuse. You will notice that a substantial sum has been allocated to that work from the education budget.

We regard the increased allocation to the equalities budget during the tightest settlement since devolution as a strong indication of our commitment to that agenda. Equality is firmly located in the Government's new approach. We are committed to a new way of working that is focused on outcomes. That has driven an approach to setting the budget that is different from the one taken in SR 2004.

All the activity of the Government is centred on the delivery of an overarching purpose, which is to ensure that all people can share in the opportunities that are created by increased sustainable economic growth. The Scottish Government has been reorganised to fulfil that purpose through five strategic objectives, which focus on improving the opportunities, life experience and environment of all Scotland's people.

Those objectives are given more detail by a set of national outcomes, many of which are important for the advancement of equality, and one of which

is specifically focused on addressing significant inequalities in Scottish society. We cannot achieve those goals unless we have greater equality. That needs our investment and policies to promote equality and not to discriminate unjustly or to perpetuate inequality and disadvantage. We therefore expect that the policies and activities that are undertaken to deliver on our objectives and outcomes will be subject to equality impact assessment.

The presentation of equality in the budget is different because the context in which the budget has been developed is different. However, there is no less commitment. The budget document cannot be explicit about everything that we do, and it has been developed within the constraints of a very late and tight settlement. I understand that the Cabinet Secretary for Finance and Sustainable Growth set out a number of those points in his letter to the committee of 21 November.

I hope that, despite the committee's concerns, which I am sure we will discuss today, our shared commitment to equality will enable us to progress this agenda together.

The Convener: Thank you for that statement. Can you reassure the committee that the annual budget and the multiyear spending review form a key focus of the Government's equality mainstreaming strategy? How is the budget process informed by an overall commitment to mainstreaming equality?

Stewart Maxwell: We have made clear our support for mainstreaming equality. It is certainly one of the drivers for putting much of the principle and the policy into practice. Hopefully, you would accept that—that is our clear view. The issue with mainstreaming is not so much to do with numbers as to do with policies in practice. We want to ensure that the view of each directorate is influenced and developed on the basis of mainstreaming equalities. It is not my individual responsibility, although I do have responsibility as a minister: it is for each individual minister and cabinet secretary to take forward mainstreaming in their portfolios and areas of responsibility.

I believe that mainstreaming equality across the policy and practice of the Scottish Government will mean better policy and legislation, which will better meet the needs of Scotland's communities and Scottish society. I think that I have been clear on that. I would only reiterate that the issue is more about policy intention and the delivery of services, and less about the numbers in the budget.

The Convener: The link is the allocation of resource to ensure service delivery. That was the specific point that we wanted to home in on.

Stewart Maxwell: Of course. As I said, there is a real-terms increase in the equalities budget year

on year. The numbers show a clear commitment from the Administration on equalities. However, we must take cognisance of the fact that there has been a tight settlement across the budget and the whole budget process has been constrained down because of the information being provided late by Westminster. It is clear that that has provided difficulties and many challenges in ensuring that all the different areas of Government take into account all the elements before the budget is set. I think that we have done a good job and that we have done the best that we can with the available resources in the available time.

11:45

The Convener: Will you give us some specifics? It would be good to get on the record the figures that show your commitment. Funding will be increased, if I understood what you said.

Stewart Maxwell: I gave the figures in my opening remarks, but I will repeat them if you want me to.

The equalities budget will be £18.8 million in 2008-09, £20.8 million in 2009-10 and £21.4 million in 2010-11, which is an increase of £11.3 million across the three years, I think. The bulk of the increase will go towards supporting work on violence against women. That shows our clear commitment to equalities in general and to supporting work on violence against women in particular. At a recent First Minister's question time, the First Minister made clear his commitment in the area, and the budget reflects that.

The Convener: That is helpful.

Johann Lamont: I am interested in the different context that has meant that the equalities element in the budget has been downgraded. I heard what you said about the timescale but, in terms of the process, I do not understand why the equalities element should be jettisoned and why you have been unable to do things properly. That is a concern, given that work on equalities in the first two budgets in the Parliament was regarded as pioneering.

I have two questions. First, why are there no longer targets in the budget for improving equal opportunities within the Executive?

Stewart Maxwell: Your first point was about jettisoning equalities.

Johann Lamont: I did not say that. I was talking about the process and the transparency of the budget.

Stewart Maxwell: I wrote down the word "jettisoned". If you check the *Official Report*, you will find that you used that word. What you said is untrue. I do not accept your interpretation.

Equalities have not been “downgraded”, to use another word that you used. I utterly reject that allegation.

What was your question again? I am sorry.

Johann Lamont: In the interests of brevity, I wanted to ask two questions. First, why are there no longer targets in the budget for improving equal opportunities within the Executive? Secondly, would it be possible to have a separate report that explains how each portfolio supports equal opportunities in the budget? That might help us.

Stewart Maxwell: On your first question, I hope that you accept that we have moved to a new way of doing things that focuses on outcomes. We are focusing on delivery and results. We will measure outcomes and what we achieve rather than inputs. That approach has generally been welcomed throughout Scotland. The clear indication that we are taking such an approach is that the policy must deliver the equalities outcomes that we laid out in the negotiations with COSLA, which has signed up to the same direction of travel as the Government. Whether we are achieving the outcomes that we want to achieve will have to be measured.

Johann Lamont: I asked specifically about the Executive as an employer and targets or outcomes within the Executive. What about the Executive taking a leading role on the matter?

Stewart Maxwell: I am sorry, but I am not quite sure what you are asking. It is clear that we as an employer have rules in place. We meet the requirements of the legislation and ensure that we do not discriminate against employees. Is that what you are asking about?

Johann Lamont: Rather than prolonging the time that I have for questioning, perhaps I can correspond with you on the matter. Put simply, in the budget previously, targets were set that related to the Executive's equal opportunities responsibilities, but there are now no such targets. What else is in place to ensure that there is a sense that the Executive is driving equal opportunities in its work?

Stewart Maxwell: Perhaps it would be best if I gave a detailed reply in writing to that question.

The Convener: That would be helpful. I think that there is a general concern that whereas equalities targets were set in specific portfolios so that they could be clearly tracked, such an approach appears to be absent in the budget that we are discussing.

Stewart Maxwell: The question seemed to be specifically about what is happening in the Executive as opposed to the general point on mainstreaming equality. If you want me to answer

the general question about mainstreaming equality, I am happy to do so.

The Convener: We are happy to move on. You have covered that.

Stewart Maxwell: I have a long list of things that are happening to mainstream equality. I am happy to put them on the record now or to write to the committee about them.

The Convener: It would be useful to hear about one or two activities.

Stewart Maxwell: We have, for example, developed the 10-step online equality impact assessment tool. We have delivered briefing sessions on the public sector equality duties and the equality impact assessment tool to more than 1,000 Scottish Government staff. We have provided equality statistical information, such as the gender audit and the high-level summary of equality statistics. We have improved the monitoring of EQIA through a new business planning tool. A new cross-Government analysts equality group has been established. We are working with external partners, including the Equality and Human Rights Commission and COSLA, and through our equality proofing budget and policy advisory group. That is less than half of what is on my list.

The Convener: That will do for starters. If we need further information, we will write to you.

Marlyn Glen: My question follows on well from your mention of the equality proofing budget and policy advisory group. The committee has received a briefing on that group's role. How are the advice and support that the group provides valued and how effective can the group be without including ministers or senior officials from the finance and sustainable growth portfolio?

Stewart Maxwell: The group's role is valued—that is why the group was established and why we maintain it. If we did not value it, we would not do that. It is clear that the group plays an important role.

A balance is involved. We try to ensure that all parts of the Government are represented on groups, but not everybody can be on every group. I do not know why that is a problem—does a problem exist?

Marlyn Glen: I think that a problem exists. If you valued what the group does, ministers or senior officials would be members of it and would be involved in its discussions, rather than leaving the group aside to do something and saying, “Well done—we value you.”

Stewart Maxwell: I accept that fair point. We are considering the group's membership and we will reach a view on that in the near future. We are

reviewing whether the membership is appropriate. Can Yvonne Strachan add anything?

Yvonne Strachan (Scottish Government Public Health and Wellbeing Directorate): The point is well made. We are considering whether involving in the group officials who can feed in on strategy and finance aspects is necessary but, in the light of the new framework, it will be important to involve the relevant people. That will require us to reflect on the membership.

Marlyn Glen: Membership is important, but so is the timing of the group's input. We want evidence that the budget has been equality proofed. The group would guide that process.

Stewart Maxwell: The group does that and assists with that process.

Marlyn Glen: Has the budget been equality proofed? We can find no evidence that it has been.

Yvonne Strachan: The group has been extremely helpful through its pilot and through the information that it has provided to the Government, which we have reflected in the equality impact assessment tools that we have constructed and the approaches that we have taken. That has enabled us to take a view on how best we can ensure—particularly in policy development—that we mainstream and impact assess effectively. As we have said, because we are in the new context and because we have a different framework, we are considering our future approach. The group will have a role in helping us to determine whether we have the appropriate tools and mechanisms for the future.

Marlyn Glen: Let me continue on the issue for a little bit. I am relieved that the Government is looking at the group's role in future, but I am disappointed that the group does not play a part at present. That is the problem. It is difficult for any committee to scrutinise what a department is doing without evidence of what has been done. We are trying to scrutinise the budget, but there seems to be no evidence that it has been equality proofed.

Stewart Maxwell: As I made clear earlier, we are in a new scenario and a new relationship. Our focus is very much on ensuring that the policies and outcomes that are delivered through the budget effectively achieve our ambitions and aims, which are laid out in the five strategic objectives and underlying supporting material. The proof of the budget will be in the outcomes and in whether we deliver fairness and equality through those outcomes. Fundamentally, our priorities lie in those ambitions, but that in no way undermines or takes away from our commitment to equality. We just have a different approach. Perhaps some of

the difficulty that some people have is that we have shifted to a new way of working.

Marlyn Glen: We obviously want outcomes, but if we are disappointed with those outcomes, we will regret that the budget was not equality proofed in the first place. We would like to see the budget equality proofed now to ensure that the tools have been used. I am not saying that the previous Scottish Executive was wonderful at that, but it was making progress.

Stewart Maxwell: We may be talking at cross-purposes. Clearly, the policies are what drive this forward. The money in the budget provides the ability to achieve those policies, but the policies—which are very much in line with equality proofing—will deliver the outcomes. The money is the oil that greases the machine, but the policies are very much underlined with equality proofing. Therefore, we may just be talking at cross-purposes. The budget numbers themselves do not tell you the level of commitment and desire in the policy; they just tell you about the money. Putting more money in but ending up with a poorer outcome is not, in my view, a particularly successful way of working, irrespective of whether more money has gone into an area that was thought to be of value. However, if the policy is correct—our policy is aimed at ensuring that we deliver on equalities issues across the Government—the outcomes will be delivered. The amounts of money involved might vary from budget line to budget line.

Sandra White: I have a small question—I know that we have many more to get through—about what Yvonne Strachan said in response to Marlyn Glen. She mentioned a pilot scheme that could provide an evidence base. Did she mean the health and sport pilot scheme? Will that be used for equality proofing? On the linked issue of ministerial representation on the group, if the group was considering a specific health or education pilot, would that mean that the relevant minister might participate in the group at that time?

Stewart Maxwell: On the smoking and sports pilots, I think that the gender analysis work of the budget helped the Scottish Government to finalise the development of its equality impact assessment tool for policy and practice. Therefore, I suppose that the answer is yes. Those pilots helped us to develop those tools, which will now be rolled out.

Sandra White: That is fine. I just wanted to clarify Yvonne Strachan's point about the pilots.

The Convener: I welcome the minister's commitment to look at the membership of the equality proofing budget and policy advisory group. As he will have gathered, we very much value the work that it has done and we hope that its work will be given due cognisance and proper

recognition. We look forward to the outcome of those deliberations.

12:00

Elaine Smith: I will ask you more about reporting on equality. My questions follow on from your responses to Johann Lamont's questions. When the previous Scottish Executive prepared the budget, each portfolio explained what it was doing to promote equality. At last week's evidence session, Angela O'Hagan, from the Scottish women's budget group, said:

"measures to promote equality are absent from the budget document ... that reflects an absence of the requirement for the budget to be subjected to an equality impact assessment ... We need to see the thinking behind the various measures, but that appears to be absent from the budget document. We have a raft of outcomes that may be valuable in themselves, but which have no equalities specifics and no reflection of equalities understanding."

Angela O'Hagan was not the only panellist who made comments along those lines. Calum Guthrie, from the Scottish Council for Voluntary Organisations, said:

"There is also little evidence of equality proofing of policies, processes or spend. That is something of a retreat from previous attempts to drive mainstreaming across Government departments."

Muriel Robison stated:

"We would expect more talk of the need to promote equality".

Similarly, Morag Gillespie referred to

"the lack of equality scrutiny that is built into the budget process this time."—[*Official Report, Equal Opportunities Committee*, 27 November 2007; c 120-123.]

There are clearly concerns about promoting equality and reporting on equality in the draft budget. Can you comment further on the issue?

Stewart Maxwell: I will make several points. First, as I have said, we are in a different place from where we were in SR 2004 in respect of the budget and the way in which we are operating. The presentation is different because we have approached the budget in a different way.

Elaine Smith: That is causing difficulty, because, as has been said, we cannot see the workings.

Stewart Maxwell: I expect equalities to be taken into account by each of the individual ministers in each of the individual portfolios. You will have to ask individual ministers about the detail of the process that they went through and how they took equalities into account. It is for individual cabinet secretaries and ministers to answer that question.

Elaine Smith: We do not have time to go through that process in respect of equalities, equal

opportunities and equality proofing in this budget round.

Stewart Maxwell: As I have said, the clear expectation on my part and across the Government is that equalities are taken into account in the budget. I understand the difficulties caused by the fact that the budgetary process is different on this occasion because of the way that we have brought matters forward. We laid out before the election how we would approach the budget, and we have followed through on that. We gave a commitment and there was a clear expectation as to how we would approach the budget. I cannot speak for individual ministers in relation to their portfolio responsibility. If you have a concern about a particular area of work, you must take the detail up with the minister concerned.

Elaine Smith: Page 107 of the spending review document sets out the "Promoting Equality" budget and states that it

"helps develop the capacity of people who experience barriers because of their race, gender, disability, faith or sexual orientation."

There are no specifics about how the support will be delivered, who will deliver it and what will be prioritised within the budget. There is also no mention of age discrimination. We want to get into the specifics. Can you help us? We are all trying to scrutinise the budget within a tight timeframe. It is difficult to do so, given the different approach that the Government has taken.

Stewart Maxwell: It is a given that we are in a different place. We laid out on page 107 our commitment to equalities issues in the budget. That is made clear in the sentence on page 107 about well-being. I do not see the difficulty, unless you are trying to say that the statement is inaccurate in some way.

The Convener: The real point that we are trying to emphasise is that although there is a commitment and an expectation on equality, we are a little bit at sea as to exactly how far it will be fulfilled because of the lack of a clear equality statement for every portfolio.

Stewart Maxwell: As I mentioned when a similar point was raised in last week's debate, the commitment sits right at the top. It is an overarching commitment. At the beginning of the spending review document, this point is made:

"The principles of equality underpin the investment outlined throughout this document and our work across all Strategic Objectives."

The overarching principle is laid out at the front of the document and it is not necessary to repeat it on every page.

Elaine Smith: I am sorry to cut in, minister, but none of us doubts that you have that overarching commitment. We respect what you say and we believe you, but we are concerned about how it can be judged and measured. How can we see the workings of how that commitment is fulfilled and how can the outcomes be judged in future? I do not think that I can go much further with that question at the moment.

Stewart Maxwell: It can be measured because we will be able to see the outcomes. We will be able to see whether things are getting better or worse. That will be clear from the outcomes. You will be able to see not only the five strategic objectives but the outcomes, national indicators and single outcome agreements that we reach with local government. They will provide clear indicators of the direction of travel and the principles that underpin all our work. The outcomes will provide us with clear measurements.

One of the problems in the past was that we measured how much money went in, not the outcomes. It was difficult to measure those over the past few years, but it will be easier to see the impact of Government policy by focusing on outcomes rather than earlier parts of the process, as we did in the past.

Johann Lamont: If you are to determine whether something is better or worse, you need to know what you are comparing it with. Outcomes do not preclude an understanding of what the budget moneys have the potential to deliver.

I sympathise with you, because being an equalities minister is a cross-cutting role and you have expectations of ministers. Would it be reasonable to ask for a separate report that explains how each portfolio supports equal opportunities in the budget? If your fellow ministers put that in writing, you and the committee would have a sense of your expectations of them.

Stewart Maxwell: I and my fellow ministers are clear about my expectations of them. However, it is up to individual ministers to decide what to do. I cannot speak for individual ministers.

Johann Lamont: The equalities minister is responsible for cross-cutting and driving equalities, which I accept can be difficult. It should be possible for you to say that it would be helpful to have a statement from each portfolio to confirm the expectation. Then we will be able to measure your level of disappointment with whether it is fulfilled.

The Convener: That is a key point, minister.

Stewart Maxwell: I accept that, but I do not think that I will be measuring my level of

disappointment over the next few years. I will consider the issue and speak with my colleagues. Perhaps I should respond to the point.

Bill Wilson: I whole-heartedly support the concept of measuring outcomes. If we want to build evidence-based policy, outcomes must be measured. Might it be useful to produce a summary of the outcomes that relate to the paragraph on equality on page 107 of the spending review document? All the outcomes are there for us to find, but giving a summary would make your objectives clearer to some extent.

Stewart Maxwell: Are you talking about page 107?

Bill Wilson: Yes. We have had a long discussion about how you should measure the statement on page 107. It occurs to me that it might be helpful for you to relate that to the outcomes that you propose. It would be a summary of what exists, but it would make the situation clearer.

Stewart Maxwell: In one sense it would be a summary, but in another it would be everything because, as other members have said, the issues apply right across the Government and the summary would contain every part of the single outcome agreements that we are reaching with local government. We have established those agreements with local government, and all the outcomes and indicators must match up to that commitment. I am not sure that a summary would be particularly helpful.

The Convener: I will cut that discussion short because you have indicated that you will write to us on those specific points. We appreciate that you are liaising with your colleagues on the points that we have raised during the discussion.

Sandra White: The minister has mentioned EIAs frequently. Have any of the Scottish Government's key policies—for example on class sizes, public transport and council tax—been subjected to equality impact assessments? Do you have any evidence of current practice on that?

Stewart Maxwell: There was no equality impact assessment of the budget as a whole, or of individual portfolio spends. It is expected that the policies—and the related spending—that are undertaken to deliver on the outcomes and the strategic objectives will be subject to equality impact assessment. That is the crucial point. Assessing the impact of our individual policies on equality groups will enable us to develop policy that is responsive to people's different needs. It will also enable us to distribute appropriately the resources that are allocated in the budget. The basic point is that equality impact assessment should be about how policies are being delivered, not about the budget as a whole, because—as I

said earlier—the numbers can go up and down. What is important is the impact of those policies on the ground. They will be subject to equality impact assessment.

Sandra White: You mentioned future practice, but I asked whether you have any evidence relating to current practice. Is there any particular timescale in relation to council tax or class size reductions, for instance? When will it start? You keep talking about the future—is anything going on now?

Stewart Maxwell: There is, but I cannot give you a figure at the moment. It is difficult to monitor fully the number of equality impact assessments that are currently in progress. We are looking at that—it has to be improved upon. We will use the business planning tool to enable us to improve the monitoring of that particular area. From March 2008, we will introduce assurance measures on equality impact assessment through the internal audit process, which will also be of assistance.

Sandra White: You mentioned that it is difficult to give the numbers for current practice regarding impact assessments. Would that be with ministerial committees, or would it be within voluntary groups? Would this committee be able to get a list of those areas in which impact assessment is currently being practised?

Stewart Maxwell: That is the problem—there is a problem at the moment, and that is why we want to improve the process. We do not have a full picture, and that is why we want to ensure that we use the business planning tool to enable us to closely monitor that to ensure that we have got the information. I cannot give you a specific answer on all the different areas, because we do not have it. It is very difficult to monitor, and that is the very reason we want to improve the process.

Sandra White: Thank you for being honest with us on that particular point.

You mentioned that you have taken evidence from the Equality and Human Rights Commission and that it quoted research that had been undertaken by the Equal Opportunities Commission, which identified very poor pay and conditions. Once again, I will use the example of classroom assistants. There has been little progress in recognising the value of classroom assistants. I have heard that Dumfries and Galloway Council has—this is probably not the right expression—let go of its classroom assistants, which is worrying. Will the minister assure us that if the Government wants to reduce class sizes, it will not be done at the expense of an undervalued core group of workers, many of whom—in the case of classroom assistants—are women? If that is not the intention, how will it be reflected in the budget documents? How

transparent is the spend that has been allocated to the policy initiative of reducing class sizes? Where is it located in the budget documents?

12:15

Stewart Maxwell: You must direct your specific questions about internal spend in the education budget to the Cabinet Secretary for Education and Lifelong Learning.

The ministerial commitment to ensuring that public sector pay is fair and non-discriminatory is clear, but work on the ground on that is a matter for negotiation between local government and the trade union bodies that represent the various groups of workers. It is not our place to interfere in those negotiations. The relevant legislation rests with Westminster and is a reserved matter.

We have made it clear that there should be equal pay and that it is taking far too long to get to the point at which there is equal pay and no discrimination through occupational segregation, for example. A lot of work remains to be done. It has taken many years to get to where we are and we are committed to ensuring that we progress as quickly as possible to avoid the problems through which women, for the most part, end up being discriminated against in their pay rates. We are keen to address that, but responsibility for the legislation and the individual negotiations lie elsewhere. However, as I said, along with COSLA and the local authorities, we are signed up to an agenda of fairness and equality. That is clear in the strategic objectives and outcomes.

Sandra White: The minister has answered my question about the concordat between the Government and COSLA. The concordat is still fairly open. Will you have discussions with COSLA on issues such as class sizes, given that local government has responsibilities for education and equal pay, which affects many public authority employees? Will those specific issues be raised with COSLA when you talk about the concordat? I am thinking of issues such as classroom assistants, equal pay and care workers.

Stewart Maxwell: As I said, we had no involvement, and nor did the previous Executive, in the negotiations that led to the single status pay agreement that was negotiated by COSLA and the trade unions eight or nine years ago. Local authorities have a duty to implement a nationally agreed job evaluation scheme and to design pay and grading structures locally to ensure equal pay throughout the workforce. That process is ongoing. It is the employers' responsibility to ensure that pay and conditions are fair and equitable and comply with equalities legislation. The responsibility clearly lies with local government.

We do not have a micromanagement role—it is entirely a matter for local authorities to determine under the legislation, particularly the Local Government (Scotland) Act 1973, that governs the matter. We do our best to monitor the situation and to assist and encourage local government to reach agreements that measure up to equalities legislation and the demands of the various groups that take their cases to the authorities. We do what we can to support local authorities but, as I said, the matter is for them to deal with under the relevant legislation.

Bill Wilson: Can you reassure the committee that the transfer of resources from the public sector to the third sector as part of the efficient government programme will be carried out with specific reference to equality impact? Public bodies have specific duties under the Disability Discrimination Act 1995. Will voluntary bodies be under the same obligations if they take over local government activities?

Stewart Maxwell: Yes.

Yvonne Strachan: The current public duties make it clear that if a body—private or voluntary sector—is contracted to supply a service to a local authority or public body, for the purposes of that contract they are subject to the same conditions as the authority. That does not mean that the whole organisation and everything it does is subject to those conditions—it is for the boundaries of that contract.

Bill Wilson: So anyone who is employed on that specific issue is fully covered by the act?

Stewart Maxwell: If their work falls within that contract.

The Convener: That is helpful clarification.

Bill Wilson: How will the procurement process ensure that there will not be a levelling down of the quality of service as a result of limiting the resources available to the third sector to maintain the quality of those services? There is a tendency to bid down—to put a top bid in and force voluntary bodies to bid lower. Are there risks such as that in reducing the resource?

Stewart Maxwell: I certainly hope not. The intention is to maximise efficiencies and to ensure we get as much value as we can for the public purse. We have to strike a balance between using taxpayers' resources efficiently and getting the maximum from them, and ensuring that that is not done by discriminating against individual workers—or workers generally—by driving down conditions or pay settlements. That is not our intention. No matter who delivers the service, that would be neither a necessary nor a desirable outcome of any attempt by Government to ensure we get value for money for Government spend.

We have made statements on ensuring that organisations get full cost recovery. We are working on that area, which is particularly relevant to the voluntary sector.

Bill Wilson: Will there be any attempt at monitoring that, just as a precaution, to ensure that there is no drop in conditions?

Stewart Maxwell: We keep an eye on that—not only through our own organisation but particularly through local authorities—to ensure that it does not happen. Organisations, particularly local authorities, which would progress the issue, are signed up to the concordat, and to the objectives, outcomes and indicators. We will be signing outcome agreements with individual authorities. When those are completed, it will be clear from them that it will be unacceptable for the outcome that your question was predicated on to occur. Any such outcome would be outwith the direction of travel that we and local government are signed up to. I do not believe that that will be the outcome; if it is, it would be outwith the scope of what we are trying to do, and would be unacceptable to me and to the Government.

Bill Kidd: How will you ensure that the Government identifies and acts on any unintended negative effects in relation to the equality goals of the new approach to delivering services across the range of local government activity? For instance, does the concordat cover any potential failings?

Stewart Maxwell: The concordat is a fairly high-level agreement, so it does not go into that level of detail. Below it are a number of indicators and the single outcome agreements that we will negotiate with local authorities. That process is on-going and I cannot give you an answer at the moment—you will have to wait until those agreements are signed.

However, on the general point about ensuring that equality is monitored, we check that any work that we do has no unintended consequences. The purpose of setting a clear direction of travel is to ensure that everyone knows the parameters within which we are working and that they are working to a clear objective. We firmly believe that if people work within those parameters to meet that clear objective, there is no danger of unintended consequences arising. If there were unintended consequences in specific circumstances, as there are with any policy of any Government at any time, those consequences would have to be dealt with as swiftly as possible to ensure that we remedied the situation and did not create problems for individuals or groups that were outwith the intention of the original policy. We will monitor the situation to ensure that that does not happen; if such circumstances arose and were brought to our attention, we would address them at the time. It is difficult to talk about specifics.

Bill Kidd: If a specific problem arose, would it be possible for you to write to us to explain how you were handling the situation?

Stewart Maxwell: Yes—I do not think that there is any objection to that suggestion. If an issue was drawn to our attention in the scenario that you have painted, I would be more than happy to ensure that the committee was made aware of how we were dealing with it.

Bill Kidd: In session 2, the Equal Opportunities Committee and the Finance Committee recommended that each department should choose one quantitative target, conduct a gender-disaggregated analysis of it—I always get the difficult questions—and then, on the basis of that analysis, make recommendations for the next spending review. Has that been done? The previous Executive said that a workshop on that subject was held in October of last year. Do you have any plans to follow through on that?

Stewart Maxwell: The question is predicated on our being in a different place. The recommendation related to the previous Administration and was predicated on the budgetary process carrying on along roughly the same lines as before. We have moved the agenda on and we are now in a different place. We have not followed the approach that you outlined because I do not believe that it is applicable.

Bill Kidd: Would you see EPBPAG being a vehicle for resolution of any such situations?

Stewart Maxwell: I would have to consider that. We would have to look at how to address the issue in the set of circumstances in which we now find ourselves. The issue is not whether we follow the approach that you outlined; it is about having a way of dealing with matters that is appropriate to the current circumstances rather than a procedure that was written when the circumstances were quite different.

The Convener: The major feature of the recommendation in question was that it pinned down each department to looking at a target, to analysing it and to reporting back on how it followed through on the analysis. I suppose that we seek reassurance that if such a process is not in place, each department still has a focus on delivering the desired goal.

Stewart Maxwell: It is a small point, but we no longer have departments—we have directorates.

The Convener: They are the equivalent of departments.

Stewart Maxwell: They are slightly different—I put that on the record for a reason.

The Convener: Is the fact that we do not have departments a problem?

Stewart Maxwell: I do not think that it is a problem. I have repeatedly made the point that, as regards the structure of the Government, we are in a very different place from where we were at SR 2004. We must develop mechanisms and tools that allow us to carry out the analysis that we are discussing. Some of the mechanisms that were devised some years ago might not be appropriate for where we are today. Officials are working to ensure that the rest of the Government is dealing with equalities issues. We have moved on considerably from when the previous mechanisms were devised.

The Convener: Would it be fair to sum up the situation by saying that there has been a shift towards greater emphasis on outcomes and the use of equality impact assessments? That approach could almost be summed up as, “Trust me, I’m the equalities minister.”

12:30

Stewart Maxwell: I do not think that it can be summed up in that way. I think that it is a focused way of doing it. I genuinely believe that we all want improvements across all the areas the Government is involved in. There has to be a determined focus on those outcomes. Equality impact assessments have to be used to determine whether the policies we are implementing are delivering the outcomes we expect. The issue is about service delivery, not whether there is £10 million this year and £11 million next year. What is important is the impact of that money on the ground. That is where the impact assessment has to come into play.

The Convener: I suppose that the committee’s concern is that we will get to the outcomes and say, “Oops! Not enough resources were allocated.” We need to find a balance in relation to the point at which we realise the allocation of resources should be targeted at a specific area.

Stewart Maxwell: Yes, but that could happen irrespective of anything. All Governments have to make a judgment about how much money they allocate to each area. Focusing much more on the outcomes rather than the inputs is a valuable shift that will shed much more light on all of the Government’s activities across all of the portfolios than the previous way of doing things did.

People are always conservative when it comes to change. We are in a changed environment at the moment and are shifting the emphasis of Government. I understand why people feel slightly nervous about that. However, the Government is united in the belief that that is where we need to be and is what we need to focus on. We have to establish a focus on the outcomes and ensure that we truly understand the impact of the policies that

we are implementing and the money that is allocated to each of those areas.

I have tried to make that quite clear today. I understand that there might be disagreement among various parties and that there might be slight nervousness about that process, but we firmly believe that that is the correct way to proceed.

The Convener: Did the Scottish Government take account of the disability recommendations when it constructed the draft budget? I am referring to the 156 recommendations in our predecessor committee's disability inquiry report, "Removing Barriers and Creating Opportunities".

Stewart Maxwell: The answer to that question is, I suppose, yes. That information was available during the process by which the budget for each individual portfolio was drawn up and the priorities were determined. I cannot give you the specific detail of what each minister did, but I can assure you that those recommendations formed part of the evidence base that they had before them and I am sure that they would have used them as part of the process.

The Convener: That is a welcome overview. We will press each minister in turn to find out the extent to which the resourcing has followed the recommendations.

Marlyn Glen: I want to ask about the race equality statement and the action plan consultation. Will the document include details of the budget resources that will be allocated for each of the four areas that are covered: Gypsy Travellers, employment, rural racism, and asylum seekers and refugees?

Stewart Maxwell: I will try to answer as fully as I can, but we have not reached the end point of the discussions on that document and I cannot yet give you the detail of what it will look like.

I hear what Marlyn Glen says and I will ensure that her view that those details should be included in the document is fed into the process.

The Convener: Thank you for coming to the committee, minister. We look forward to seeing you on 18 December.

12:35

Meeting suspended.

12:43

On resuming—

Census 2011

The Convener: The final item on our agenda is an update on the preparations for the 2011 census. I am pleased to welcome Duncan Macniven, who is the Registrar General for Scotland, and Peter Scrimgeour, who is head of the census division, both from the General Register Office for Scotland.

We move straight to questions. In paragraph 17 of your submission you state that, in the 2006 census test, you trialled a question about negative discrimination

"on 12 grounds including accent, age, ethnicity, disability and 'other'."

However,

"competing priorities for space mean it is not currently being considered for inclusion in the 2011 Census."

Will you explain the findings of that trial question? Has it definitely been ruled out for the 2011 census?

Duncan Macniven (Registrar General for Scotland): We have a difficult job fitting all the good questions that one could ask in a census onto a form of a length that can be afforded and that people will not get fed up completing. We are guided by how useful a question is to the people who use the outputs that we produce at the end of the census process. We think that, even though we plan to have four pages rather than the three pages that we had in the past, there will not be space for that question, given the degree of user need.

12:45

The other thing that we need to check is that the questions actually work—that people understand them, and that they can give sensible answers. There was nothing wrong with the question from that point of view, but because of the limited user demand for it compared with other questions, we put it on the no-we-will-not-ask-it side of the line.

However, we have not taken a final decision. We will take final decisions on that question and the others in time to put proposals to the Parliament in about 11 months' time. In early 2010, it will be up to the Parliament to decide whether to agree to the regulations that will allow the census to take place or to say, "No, you should think again about that question and include it." Including it, of course, would be at the expense of excluding another question.

The Convener: That is helpful. Will you give a little more detail on the findings of that trial question?

Duncan Macniven: We do not want to get into that because the test was designed to try out the way in which we plan to take the census and to try out some of the questions. It was not conducted in a way that would produce statistically sensible and reliable evidence.

The Convener: Mr Scrimgeour, do you have anything to add to that?

Peter Scrimgeour (General Register Office for Scotland): As the Registrar General says, we did not do the test with a view to producing numbers that could be purveyed as meaningful statistics. We said that all along the line to a lot of people. However, we did look at the results. We needed to do that to assess whether the question appeared to have worked. I do not say that the statistics are reliable, but it was interesting to note that 16 per cent of people who answered the question said that they had experienced some form of negative discrimination.

A dozen grounds for discrimination were mentioned and the results were spread throughout the categories. The biggest category was discrimination on the ground of age, which 2.7 per cent of respondents said that they had experienced. That was followed by discrimination on the ground of religion, at 2.2 per cent. Age and religion came out top—that is probably as far as we would go in using the results, but they have been published as part of our evaluation of the tests that we did last year.

The Convener: Your comments are helpful because they put the matter in context.

Marlyn Glen: You mentioned user demand. I presume that that changes. By the 2011 census, we will have new duties such as the general equality duty, and I would expect local and national Government to be interested in such a question. In asking it, you would be following demand. Is that a problem?

Duncan Macniven: Not really, because that kind of demand can be anticipated. People know what the general equality duty is and they can build that in to their responses to us on how useful certain questions are.

The Convener: What methods did you use to improve and test accessibility in the 2006 census test? Have you evaluated the impact of the improvements?

Duncan Macniven: The main thing that we tried out was in relation to the way in which enumerators interact with people in the area in which they are responsible for collecting census forms. That went well. It confirmed to us that we

are right to go with what is perhaps a slightly old-fashioned way of conducting a census. The contact between the enumerator and the household is important. The enumerator can offer help to households that, for one reason or another, find it difficult to fill in the form.

We were both happy and unhappy with our liaison with community groups before the test was carried out. It was successful in some respects. For example, we got around the camp fires with Gypsy Travellers in Lochaber, and we felt that that was successful. On the other hand, I allude in our submission to the big problem of the underenumeration of young people. We were less successful in breaking through those more difficult barriers, because that community is more diffuse, and far more numerous, than the Gypsy Traveller community. There was a mixed message on that.

The Convener: I want to press you a bit more on the issue of Gypsy Travellers. You talked about getting round the camp fire. Are other methods to improve contact with that group being considered?

Duncan Macniven: I think not. We have found that personal liaison with groups of the size of the Gypsy Traveller community beats any other method. However, we are open to suggestions if you have found a secret weapon. We felt that personal liaison worked well, because although the number of Gypsy Travellers from whom we got responses was not large, it was larger than the number that the local authority expected us to get. Cross-checking with other methods of measurement is something that we try to apply to the census results and we will be accentuating the use of it in 2011.

The Convener: I understand that the Gypsy Travellers requested a literacy question. Was that included? Have you drawn any conclusions from the response rate?

Duncan Macniven: In the run up to the census test, we asked the Gypsy Traveller community whether there were any questions that it would find particularly interesting and it mentioned that one. We did not include it in the end, although we included an analogous question about language—which is rather different from literacy—that asked how well people speak or understand Gaelic or English. We concluded that the literacy question needed to be answered in more depth than was possible through a self-completion questionnaire of the kind that we used in the census test, so we did not include it.

Another of the community's suggestions, which we did pursue and would be happy to pursue further, was that we carry out an investigation into the health of the Gypsy Traveller community. Health is one of the biggest areas in which census information is used, so we would be keen to carry

out such work. It seemed that although such a question would appeal to some members of the community, there was a risk that it would go down like a lead balloon with others. We drew back from including it in the test, but we would be happy to discuss it with the community again in the run up to 2011.

The Convener: We look forward to hearing how that develops.

Marlyn Glen: You said that although you do not plan to include a sexual orientation question, you are taking part in work to identify alternative survey sources of that information. Can you provide more detail on those sources?

Duncan Macniven: Yes, we can certainly expect the question to be included in the Scottish health survey in 2008. There might be other opportunities to include it in surveys, which we are pursuing with colleagues in the Scottish Government and the Office for National Statistics who are responsible for running such surveys. I cannot guarantee that it will be included in other surveys, but it will be included in the Scottish health survey.

Sandra White: In your submission you say that ethnicity is one of the most difficult topics and you note the criticism from the race equality advisory forum of the inconsistent use of colour and geography in the census—I noticed that too. Perhaps you will explain the colour and geography terms. Some of the main issues referred to in paragraph 8 of your submission remain to be resolved. Will it be possible to make a final decision that satisfies all the participants in the 2011 census?

Duncan Macniven: That would be nice, and we are trying very hard to do that. Views within the community, particularly within the African and Caribbean communities, are so polarised that, however hard we try, we are unlikely to be able to come up with a question that everyone likes. We hope to achieve a question that none of the communities hate and that everyone will be willing to answer, which is the key.

There is an element of cutting off noses to spite faces in boycotting the census, because to do so deprives the Government and other census users of the very information on which the policies to address that community's needs are based. So when we are in touch with the community, as we are frequently, I argue strongly in favour of people completing the census, but I cannot guarantee that we will come up with a question that satisfies everyone.

In 2001, there was an interesting attempt to find a short question that people across the population would find easy to answer, but it mixed colour and geography by asking

"What is your ethnic group?"

and then offering options such as "(a) White" or "(c) Asian". That was illogical. Although I doubt that we will be entirely able to escape from that mixture, perhaps we can express the question in a way that is more sensitive to the views of the different communities involved.

Sandra White: Apart from rephrasing the question or finding a question that everyone will answer, do you think that you would be more successful if you used members of ethnic minority communities in the 2011 census?

Duncan Macniven: Yes. There are two levels to that. We gained a great deal from liaising with all segments of the minority ethnic population. Our consultation in spring this year was successful in drawing out views. Separately from that general consultation, we had specific contact with minority ethnic communities, which has been hugely valuable to us and has allowed us to explain the point that I have just emphasised about the importance of completing the census.

However, if I picked you up correctly, your question was more about the enumerators on the doorstep. This point applies to the Gypsy Traveller community as well as to minority ethnic communities. We would like to appoint enumerators who represent the communities that they are enumerating. We had some success with that during the 2006 test when we had one enumerator and one census team leader from minority ethnic groups, which is in the order of the groups' size relative to the total population. We hope that we will be as successful, or more successful, in doing that in 2011. We will certainly try very hard to liaise with the communities themselves so that they can publicise the availability of opportunities to act as enumerators.

Bill Kidd: I was an enumerator in 1981—

Duncan Macniven: Thank you very much. I hope that you will sign up again.

Bill Kidd: I was obviously too young. [Laughter.] I got the job through the job centre; I was unemployed and I saw the prospect of a temporary job. How can you reach out to people from minority communities who might not go to job centres or whatever? How can you target them specifically?

Duncan Macniven: The recruitment of enumerators is hugely important to the slightly old-fashioned method of enumerators on the doorstep that we propose to use to conduct the census. That is why I am particularly grateful to you for volunteering in 1981. We will proceed by a variety of means. We will continue to use job centres. We are able to get good enumerators by liaising with local authorities throughout Scotland. As I suggested in response to Sandra White's

question, we are also able to take advantage of our links with a variety of communities, so that we can target them.

13:00

Peter Scrimgeour: From our test, it struck me that, although we conduct a census only every 10 years, there is remarkable constancy. Some folk do the job once, for good reasons, and move on to other things, but our test in the west of Scotland showed that there are people who enjoy doing it, who did it 10 or 20 years ago and who want to do it this time. They will be quick to tell us if it is not as good as it was last time.

Sandra White: That is an interesting question, because we need to know how people are recruited. Thank you for your answer.

One area of concern is recommendation 16 of the evaluation of the 2006 census test, which refers to the need for information on the people who took part. You suggest that

“a profile is created of the ethnic makeup of each Census District involved in the Test.”

The committee would like you to explain the purpose of that. Why is such a profile needed?

Duncan Macniven: I have not picked up exactly the reference that you cite, but I suspect that the answer to your question is that there is not much point in trying hard to recruit enumerators from the minority ethnic community in an area where the community does not exist. On the south side of Glasgow, by contrast, there is a fruitful recruitment ground. The recommendation is a slightly bureaucratic way of saying that we try to establish the size of the minority ethnic community in each area, which we can do from the previous census and from other sources of information.

Sandra White: You are seeking information on where different ethnic groups stay. You suggest that it would be easier to recruit enumerators from the minority ethnic community in certain areas. What other purpose does the information serve? Perhaps I am looking at the recommendation in a sinister light, although it is not meant to be sinister.

Duncan Macniven: Not much that we do is sinister—the recommendation is certainly not intended to be sinister.

Sandra White: Some people might construe it as such. You are seeking information so that you can create a profile of the ethnic minority groupings in each census district.

Peter Scrimgeour: There is a particular focus on ethnic minorities at the moment, but that is part of something that we do across the board. When we have people employed locally, we need to be able to give them advice on the area that they are

entering. They may not be working in their own area, but in a neighbouring area. We need to go back to our sources, so that if there are ethnic minority groups in an area we can tell people to ensure that they make contact with them, get out the word that a census is happening and offer them help. If there is a high proportion of older people, we must ensure that our employees know about that. If there are old folks homes, hospitals and prisons in an area, the people who are looking after the census for us there must have background information on that, so that they are better prepared to do the job that we have given them. That is why we are seeking to establish whether a particular group in the population is present in certain areas. We have no sinister purpose—our aim is to get the job done well.

Duncan Macniven: If I may expand on that, we know where people live—

Sandra White: Big Brother is watching them.

Duncan Macniven: However, in publishing census statistics, we are careful to preserve people's anonymity, especially when the number of visible minority ethnic people in an area is very small. I am not suggesting that they would be targeted but, because they are small in number, people might learn more about their personal circumstances than they should. We take care to ensure that outputs are anonymised.

Sandra White: Thank you.

The Convener: I warn you that Bill Wilson is going to ask you some questions that are dear to his heart.

Bill Wilson: Yes, I have three questions on language, which relate particularly to the Scots language. Which of questions 13 and 36 was used in the test census? Is there any reason why question 13, rather than question 36, is included in the “Possible content” section of the draft census?

Duncan Macniven: Question 13 in the annex to the paper that I have submitted deals only with Gaelic and is, essentially, the question that we asked in 2001. That worked well. We have asked about Gaelic since 1881, and we will certainly ask about Gaelic in the next census. Perhaps you could remind me of the number of the other question that you mentioned.

Bill Wilson: It is question 36.

Duncan Macniven: It is, essentially, the question that we used in the test. We were trying to find out information about languages other than Gaelic for a variety of reasons. There is a good user demand for that question, especially in identifying people who do not understand English or read, write or speak English fluently.

We have parked question 36 under the subheading "Person questions excluded from this draft" because it did not work very well in the test. People did not tick any box against English. We think that that happened because we did not design the question very well and people did not read across to the right-hand side and see the box marked "No ability". People did not tick in the places where we expected them to tick. We are reacting to that by trying to design the question better while continuing to ask about languages additional to Gaelic. We will certainly include question 13; we are keen to include question 36, and we are working on it.

Bill Wilson: Various reasons have been offered in the past for the failure to include the UK's second largest native language, Scots, in the census. Did the test survey provide any indication of why Scots should not be treated equally with Gaelic in the coming census?

Duncan Macniven: No. The reason why question 36 did not work had nothing to do with the inclusion of Scots. Earlier this year, we consulted on the questions and on other aspects of the census, and people expressed a demand for information about Scots for the kind of reason to which you allude, but they also pointed out that it was difficult to define. We continue to plan to include that question in 2011, but we need to work a bit more on the detail of it.

Bill Wilson: I have a final question. In 2001, translations of the main questions were provided in Gaelic. Will they also be provided in Scots in the next census?

Duncan Macniven: We have taken no view on that.

Bill Wilson: I hope that you will give it consideration.

Duncan Macniven: We will give it consideration.

Elaine Smith: I have a couple of questions about the religion question that you mention on page 3 of your submission, under point 13. In 2005, the Equal Opportunities Committee discussed the wording of the religion question, as two groups had notified us that they did not like the wording of the question in the 2001 census—albeit that it was a voluntary question. Did you change the wording of it for the 2006 test? If so, what impact do you think that that had on the outcome?

Duncan Macniven: The committee made a very constructive suggestion in 2005 and my memory is that we changed the question, but I will just check that.

In 2001, we asked:

"What religion ... do you belong to?"

In the 2006 test, we changed that question to: "What is your religion?"

Peter Scrimgeour: The full question was:

"What is your current religion, denomination, body or faith?"

Duncan Macniven: Yes. It is hard to tell whether that change affected the results because, of course, we could not recapture what people thought in 2001, but I do not think that it significantly affected the results. We were happy to make the change because that was a neater way of putting things.

Elaine Smith: That is fine. Thanks.

Your submission states:

"There seems to be limited user demand for the question on religion of upbringing."

What did you mean by that? Do people know that such a question is available? Have you promoted the possibility that it might be asked? Why is the question not in demand?

Duncan Macniven: That takes us back to what I said in reply to the convener's first question. Space on the census form is limited. In 2001, we asked two questions on religion—one on current religion and the other on religion of upbringing—which produced interesting information. However, in the consultation earlier in the year that I mentioned, we asked census users and other interested parties whether they were absolutely sure that we needed to continue to ask two questions on religion, given that space is limited on census forms and that only one question on religion was asked south of the border in 2001. The responses to the consultation showed that there was limited support for asking about people's religion of upbringing, but there was absolutely no question but that we should be asking about people's current religion. Subject to the approval of Parliament, we will include a question on that, but there is limited demand for including an additional question on religion of upbringing. There are better uses for the space on census forms.

Elaine Smith: So you propose not to include in the form a question on religion of upbringing.

Duncan Macniven: At the moment, we propose not to do so.

Elaine Smith: The committee may want to take soundings on that.

Peter Scrimgeour: That was one of the 15 points that we highlighted when we did our consultation in the spring. We asked about the impact that dropping the question on religious upbringing would have, just as we asked about

dropping several other questions. We also asked about what other topics people would be prepared to exclude from the form if they thought that a question on religious upbringing was a priority and that it should be kept in. We tried to bring to users the reality that there is limited space for questions on the form.

From an analytical and statistical point of view, as a result of asking both questions on religion in 2001, we got a measure of how people's original religions, their religious upbringing and their current religions tie up. We will lose something if we do not ask both questions, but religion of upbringing results would not change much from the census in 2001, whereas people's current religions will change a bit more. There are arguments about the statistical value of asking twice in 10 years about people's religion of upbringing. Perhaps the question is of less value than other questions.

Elaine Smith: Somebody could be interested in whether the answers to a question on religion of upbringing change in comparison with those to a question on current religion; they could be interested in whether that could be due to discrimination under the new strand, for example. I wonder whether asking that question might be useful. I am speaking off the top of my head. That said, it is obvious that you have considered the question and that you think that you will have to drop it in order to fit in another question that might be more in demand.

Duncan Macniven: There is no doubt that the answers to such questions are interesting. We asked about religion in 2001 for the first time, and it produced interesting results, as Peter Scrimgeour said. However, there is so much competition for space on the form that we need more than interest to justify including certain questions on it. We need use.

The Convener: I suppose that one finding that could have been made is whether there had been a move towards a more secular society. The question is whether there is any value in determining that.

Duncan Macniven: I think that we will be able to answer that question by asking about current religion.

Bill Wilson: There may be risks. Some people may feel that the religion of upbringing question is irrelevant, because they decide what their religion is. What is important is what their religion is at that particular point in time. Perhaps they feel that the religion of upbringing question almost labels them as something that they may or may not be later in life. Was there any resistance on such grounds?

Duncan Macniven: We did not really pick up any great hostility. Because, as you will

appreciate, religion is a sensitive subject, it was a voluntary question in the 2001 census; indeed, it was the first time that a voluntary question had been added to what is otherwise a compulsory census. Nevertheless, many people responded to it. It certainly did not stick out as a question with a poor response rate.

13:15

The Convener: That is very interesting.

Marlyn Glen: You have said that you are considering a question on national identity separate from ethnicity and a question on citizenship. What will those questions cover, and what will they seek to achieve?

Duncan Macniven: As the citizenship question is a relatively simple matter, I will dispose of it first. It will basically ask the person what passport they hold. As you might know, the formal definition of citizenship relates to the passports that a person holds.

Peter Scrimgeour: That a person is entitled to hold.

The Convener: There is a difference.

Duncan Macniven: Absolutely.

Such a question has limited demand in Scotland. However, the European Union has recommended to member states that it should be included in a census. In an ideal world, we would like to respect that recommendation. Of course, by 2011, it might even be a little more formal than a recommendation.

The question of national identity is more complex and seeks to get a sense of a person's Scottishness, Britishness, European-ness or whatever. In the census test, we used the question to preface the ethnicity question, from which we had removed the sense of Scottishness or Britishness that it had had in 2001. However, we have since developed the ethnicity question to allow people to express their national identity; as a result, a separate national identity question does not seem quite so necessary any more and is diminishing in importance and user demand. That said, we have not yet bottomed out whether there is sufficient user demand for other questions to justify its inclusion.

Bill Wilson: It is important to allow people to determine their ethnicity and nationality. People from all ethnic groups have the right to say that they are Scottish, English, British or whatever, and we must make it clear that a person's ethnicity does not affect their nationality.

Duncan Macniven: I absolutely agree.

Marlyn Glen: Your submission says that

although a question on income might have value, some people might find it intrusive. How do you intend to overcome that tension?

Duncan Macniven: We have tried to assess the depth of feeling on that partly through our 2006 census test. I have to say that although the income question received the lowest response rate in that test, it was not horribly low. However, when we asked for comments at the end, the question received the most criticism. Obviously, there is a negative element that we need to address.

We are also looking at equivalent evidence from the tests in England, Wales and Northern Ireland, which were carried out this spring. In those tests, the question asked about the income of each person in the household, while we asked about the income of the household as a whole. Those results will give us a cross-bearing. Moreover, we are carrying out some specialised cognitive tests to see what smaller groups feel about the question.

We would like to include an income question because there is clear user demand, and the use to which users propose to put the information is important. However, we do not want to ask it at the risk of putting people off responding to the rest of the census form.

Bill Wilson: You are now making the census form available for completion online. What impact do you expect that to have on return rates? Can you guarantee the security and confidentiality of returns?

Duncan Macniven: At the moment, we have not absolutely decided to make it available online, but it is our intention to do so. The spending review gave us a sufficient budget that should enable us to afford it, because it costs rather than saves money.

International experience—other countries have used the internet for their censuses—is that online completion sadly does not make much of an impact on the rate of return from underenumerated groups, such as young men. It would be nice if it did. However, it results in a more thoroughly completed form and, because one can guide people through the form on the internet, it makes mistakes less likely. It is helpful in relation to quality rather than quantity of response, but it also opens the way to making the form easier to complete for groups such as people who want to complete it in Gaelic—or perhaps Scots—and people with sight difficulties, because the computer can enlarge the typeface.

Bill Kidd: We are aware that you will carry out a further test in 2008 and then a rehearsal in 2009. What are your key priorities at the moment, and will you do anything differently in the 2008 test?

Duncan Macniven: The tests that we are doing in 2008 are less thoroughgoing than the 2006 test. Our eye is mainly on what we call the dress rehearsal in 2009 and the crucial thing that we will test then is internet completion.

If I may hark back a moment to a part of Bill Wilson's question that I did not answer, the confidentiality of the form is vital. However, we have a handle on that. Other users of the internet have the same kind of demand, if you like—for example, HM Revenue and Customs has online tax return completion—and I think that we are into relatively settled territory, because the public is getting more and more confident about confidentiality and doing things online. We will test that in 2009 and, if it does not work, we will not proceed with it further.

We will try a few other things of less importance. For example, as a result of what we found in 2006, we propose to deliver by post to rural areas in Scotland rather than having the enumerator drive up innumerable farm tracks. We want to test whether that works—we think that it will.

There are a few other matters to do with how we run the business of taking the census. For instance, we will try out having local offices in each area—probably each local authority area. We have never done that before, but it seems to us that it would facilitate the conduct of the census. However, the internet is the big one.

The Convener: That concludes our questions for this really interesting evidence-taking session. On behalf of the committee, I thank both witnesses very much for coming. We look forward to progress on the content of the 2011 census.

Duncan Macniven: Thank you very much for the interest that you show in it. The decision on the content and conduct of the census will be taken in this building, and such interchanges are important if we are to avoid unpleasant surprises when we lay the regulations and the order before the Parliament. I welcome the interchange and am happy to repeat the process at any stage that is convenient to the committee.

The Convener: Thank you very much. That is helpful.

Meeting closed at 13:25.

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