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COMMISSION FOR RACIAL EQUALITY

Stewardship and Responsibility: A policy framework for private housing in Scotland

The Commission for Racial Equality in Scotland (CRE) welcomes the opportunity to respond to the report. Having provided comment to the Task Force during the earlier stages, the CRE has little to add to its previous comments and observations.

The CRE is charged with three duties under the Race Relations Act, 1976:

- working towards the elimination of racial discrimination;
- promoting equality of opportunity and good race relations between persons of different racial groups generally;
- keeping under review the working of the Act

Legal Background

Since April 2001, listed public authorities, including the Scottish Executive and local authorities have had a statutory general duty to promote race equality placed upon them by the Race Relations Act (1976) (as amended).

This duty means that listed public authorities must have due regard to the need to:

- a) eliminate unlawful racial discrimination; b) promote equality of opportunity; and
- c) promote good relations between people of different racial groups

Scottish Ministers also placed specific duties on the Scottish Executive and local authorities to publish a Race Equality Scheme that states those of its policies and functions, or proposed policies, which that body has assessed as relevant to its performance of its general duty; and

that body's arrangements for -

assessing and consulting on the likely impact of its proposed policies on the promotion of race equality;

monitoring its policies for any adverse impact on the promotion of race equality;

publishing the results of such assessments, consultations and monitoring;

ensuring public access to information and services which it provides; and

training staff in connection with the duties under the Act.

As such, the CRE would expect that the impact of any proposed changes to local authority powers, policies, procedures and practices will be fully assessed.

Each local authority is likely to have different priorities for the use of the funding allocated for improving private sector housing, in line with policies based on their Local Housing Strategy. This will introduce local variation in the types of work for which grant is made available and the amount which is grant aided. As such, local authorities will need to ensure that the grant system is implemented in a way which allows them to meet their responsibilities under the Race Relations Act (1976) (as amended).

The CRE would recommend that local authorities are mindful of their responsibilities under the Race Relations Act (1976) (as amended) when they undertake any activity, including direct intervention, using powers to compel owners to undertake works; assistance to owners in undertaking those works; and, strategic planning of interventions to achieve policy objectives.

The CRE is pleased to note that the Equalities Issues now forms a distinct section in Chapter One and that the Task Group has adopted a 'mainstreamed' approach to addressing the needs of equalities groups throughout the project and within the report itself.

I trust that the CRE's response is clear.

Yours sincerely

Public Policy Officer