

STRATEGIC GROUP ON WOMEN

**“IMPROVING THE POSITION OF WOMEN IN
SCOTLAND: AN AGENDA FOR ACTION”**

**THE SCOTTISH EXECUTIVE’S RESPONSE TO
THE GROUP’S RECOMMENDATIONS**

MARCH 2004

FOREWORD by the Minister for Communities, Margaret Curran MSP

I am very grateful to the members of the Strategic Group on Women for their work in producing the report “Improving the Position of Women in Scotland: An Agenda for Action”. Although it was never intended to cover every issue facing all of the different groups of women in Scotland, it is a wide-ranging and thorough set of recommendations focusing on the key issues facing women in Scotland today.

The report presents a fair balance between celebrating the enormous advances that there have been for women in Scotland over the last century and the gap that still remains between the income, opportunities, power and influence enjoyed by men and women.

As well as making a wide range of recommendations in policy areas that have for a long time been of concern to women - employment, childcare, poverty, access to services, violence, influence and decision-making, - it also very importantly contains recommendations about the way in which our political institutions and processes including research and data collection, could work better.

The report also highlights three areas where more work needs to be done to draw up targeted recommendations for action to recognise that:

- women are enormously diverse in their personal characteristics, needs and experiences and are not a homogenous group;
- many women who suffer from discrimination because of their gender may also suffer from further discrimination because of their ethnicity, faith, disability, age, sexual orientation, where they live or other factors; and
- there are a number of “new” issues that have not yet been the subject of detailed discussion or research, such as the relationships between different faith groups and how to secure, in a manner that is sensitive and respectful of cultural differences, human rights for women in communities that place traditional restraints of women.

This response is a snapshot of the Scottish Executive’s current and planned activities to implement the 77 recommendations in the report. It does not cover everything that the Scottish Executive is doing to improve the position of women in Scotland, nor does it respond in detail to these additional issues. We have started the process of seeking the views of different groups of women about what the Scottish Executive and others should do to tackle the discrimination experienced by particular groups of women and multiple discrimination.

However, the Scottish Executive has already started to work in ways which take account of the complexity of multiple discrimination. For example, the second phase of the One Scotland Many Cultures Campaign, which aims to tackle racism and to celebrate the positive aspects of multi-cultural society in Scotland, focuses on racism in the work place, and racism and young people. The Group’s report highlighted the need to do more to promote equality in the

workplace and remove barriers in education and training. We believe that by targeting these issues we can have a positive impact on attitudes and behaviour. And I hope that the move towards a single statutory equality body will allow us all to deal with multiple discrimination in a much more effective way.

As recommended by the report, we will produce regular updates on the Scottish Executive's progress in implementing the report's recommendations.

EXECUTIVE SUMMARY

The following table summarise the Scottish Executive's response to the recommendations in the report

Recommendation	Scottish Executive Response
POLICY ISSUES	
Equal pay	
1. Developing a strategic plan for reducing the gender pay gap, including setting a target	Accept in part
2. Prioritising sectors for action on equal pay	Accept
3. Pay reviews	Accept in part
4. Public sector procurement policies	Accept
5. Flexible working arrangements	Accept
6. Programmes to tackle gender segregation	Accept
7. Women decision makers in business and economic development	Accept
Low pay, job segregation and unemployment	
1. Remove barriers to women pursuing particular careers.	Consider
2. Encourage more women and men into non-traditional areas of work	Accept
3. Training audits	Accept
4. In work training opportunities	Accept
5. Mentoring for business start-ups	Consider
6. Public sector strategies on pay	Accept in part
7. Careers guidance and advice	Accept
Low pay, job segregation and unemployment	
1. Make the business case for diversity	Accept in part
2. Subsidies and incentives for SMEs	Consider
3. Benefits of flexible working opportunities	Accept in part
4. Flexible working in the public sector	Accept
5. Link to forthcoming legislation on age discrimination	Consider
6. Link to Fresh Talent initiative	
Childcare	
1. Increasing provision and setting targets on childcare	Accept
2. Improved funding mechanisms for childcare	Consider
3. Community based childcare and pilot projects	Accept
4. Social Economy childcare initiatives	Accept
5. Encouragement of employer support for childcare	Accept
6. Enhancing the quality and value of the workforce	Accept in part
7. Liaison with UK Government	Consider
8. Properly valuing unpaid childcare work	Consider
9. Encourage fair shares in childcare	Accept in part

Caring (for older people and people with disabilities) and personal assistance	
1. Increasing support for carers	Accept
2. Encouragement of employer support for caring responsibilities	Accept in part, but primarily reserved matter
3. Liaison with UK Government	Consider
4. Properly valuing unpaid carer work	Accept
5. Ensure choice in provision and receipt of care or assistance	Accept in part
Poverty and social exclusion	
1. Report on gender awareness as part of Social Inclusion Work	Accept in part
2. Provide support for projects that are beneficial to women	Accept
3. Ensure that women's voices are heard	Accept
4. Raise awareness about the links between poverty and age	Accept in part
Difficulties in access to services, including in rural areas	
1. Review gender awareness in public services	Accept
2. Improve the position of women workers in public services	Accept
3. Using Community Resources	Accept in part
4. Resource Allocation	Accept
Violence and safety	
1. Maintain momentum	Accept
2. Consider needs of particular groups of women	Accept
3. Tackle all hate crimes	Accept
Influence and decision-making	
1. Political representation	For political parties
2. Reform of the electoral system for local government	Accept in part
3. Public bodies	Accept
4. The judiciary	Accept
5. Business	Consider
6. Trade unions, voluntary and civic organisations	Accept
7. Scottish Executive support for consultation with women	Accept
POLITICAL INSTITUTIONS AND POLICY APPROACHES	
The Scottish Parliament	
1. Debate on the Group's report	For the Parliament
2. Creation of a mechanism to monitor the mainstreaming of gender issues in all committee business.	For the Parliament
Equal Opportunities Committee	
1. Give a higher profile to the issues of women's inequality and seek to engage with the relevant women's organisations.	For the Committee
2. Take this report into account in drawing up its next workplan, including its work to mainstream equalities into the work of all of the other committees in the Parliament.	For the Committee

The Scottish Executive: Mainstreaming equality	
1. Consider the impact on men and women and different groups of men and women from the outset in all new policy development and draft legislation.	Accept
2. Annual reporting on progress on mainstreaming, identification of 'champions' to promote mainstreaming, including information on mainstreaming on the Scottish Executive website by the end of 2003, and developing mechanisms for measuring success by the end of 2004	Accept
Monitoring, research and evaluation	
1. Development of a body of in-depth empirical research in Scotland and development of systems of evaluation that provide assessments of gender impacts of policies.	Accept in part
2. (a) Monitoring and evaluation of all new projects; (b) standardisation of data collection, (c) better integration of gender analysis of data and research into policies and more effective dissemination strategies for gender research.	(a) Consider (b) Accept (c) Accept
3. Think through what their role should be in taking forward the recommendations listed in this report, and whether/what research would be required to facilitate them to do so, including:	Accept in part
4. Regular reporting on all objectives listed in report, and putting in place research and evaluation programmes	Accept in part
5. Review evidence of gender pay gap	Accept
6. Assess impact of pay reviews	Consider
7. Collect data on position of women in decision-making in business	Accept
8. Promote research on the business case on for diversity and flexible working	Consider
9. Calculate value of unpaid care	Consider
10. Provide better data on demand for and usage of childcare	Accept
11. Evaluate gender impacts of social inclusion policies	Accept in part
12. Review gender awareness of public service delivery	Consider
13. Assess how work on domestic violence meets needs of specific groups	Accept
14. Promote research on women and decision-making	Consider

Statutory duty requiring public bodies to promote gender equality	
1. Assess the impact of statutory duties in promoting gender equality and consider how this policy approach may be applied in Scotland as part of an overall mainstreaming strategy	Primarily a reserved matter
2. Report on the impact of the relevant equality clauses of legislation passed in the first session of the Scottish Parliament. If it is being found to be effective, an equality clause should be included in all Scottish Executive legislation.	Consider
Awareness raising and campaigning about gender equality issues	
1. Raise the profile of women's inequality and the issues facing women through a campaign, such as those run on domestic abuse and anti-racism.	Consider
Consultation with women	
1. Proper resourcing for and access to and engagement with the relevant people in the Executive, Parliament and other decision-making organisations for the new Women's Convention. The Women's Convention should be invited to consider this report.	Accept
2. Local events and consultations involving the Executive, Parliament and women's organisations.	Accept
3. The Minister for Communities should enter into dialogue as soon as possible with the different women's interests and organisations working with other groups of which women are potentially members and explore in more detail the issues arising from multiple identity and/or compound discrimination.	Accept
Relations between the Scottish Executive and the UK Government	
1. More proactive role in promoting UK policies in the Scottish context and better collaborative working between the Scottish Executive and UK Government Departments	Accept in part
2. Ensuring that the views of women in Scotland are reflected at a UK and European level through the appropriate government machinery, and should consult with the Equal Opportunities Committee as part of this process.	Consider
3. Better information on gender issues on the Scottish Executive website	Accept
4. Ensure that as much authority as possible is devolved within the structure of a new Single Equality Body	Accept

POLICY ISSUES

EQUAL PAY

Developing a strategic plan for reducing the gender pay gap, including the following actions:

1. Set a target for the reduction of the gender pay gap

A target should be set for reduction of the gender pay gap for this Parliament, and for the longer term, based on a review of the evidence on the gender pay gap across the Scottish economy and within different sectors. We suggest that the target should be at least that all public sector organisations in Scotland and 25% of businesses (large and small) should have done a pay review by the end of 2005 and 2006 respectively. In particular pay agreements such as the Single Status Agreement in local government, and the new health services agreement on pay, which aim, amongst other things, to reduce the gender pay gap, should be evaluated for their success in achieving this. Consideration should be given to obliging public sector bodies, including non-departmental public bodies (NDPBs), as part of their conditions of grant to demonstrate that they are fulfilling their obligations under the Equal Pay Act 1970 and other equal opportunities legislation and are promoting equal opportunities in line with best practice.

ACCEPT IN PART

The Scottish Executive Equality Unit plays a key role in promoting good employment practices, particularly in relation to equal pay. The **Close the Gap project** aims to eradicate the gender pay gap by:

- Raising awareness amongst employers, employees, union representatives and advocacy agencies of why the pay gap exists and how to develop policies to close it;
- Encouraging employers to carry out equal pay audits using the Equal Opportunities Commission's Equal Pay Toolkit (one is now available specifically to help small organisations with less than 50 employees) and disseminating good practice across Scotland; and
- Providing training for representatives in the workplace, to enable them to give better informed information and advice on pay issues.

The other partners in the project are the Equal Opportunities Commission Scotland (lead partner), STUC, Scottish Enterprise, Highlands and Islands Enterprise (HIE), Fair Play and UHI Millennium Institute. HIE has just performed research in its area on the pay gap and is identifying how to take the recommendations forward. The Enterprise Network is committed to equal opportunities both as an employer and service provider. But ultimately, the Scottish Executive cannot compel private businesses to carry out pay reviews, it can only encourage them to do so.

Further information about the project is available at www.closesthegap.org.uk.

The EOC have already set **targets** for employers to carry out pay reviews and the Scottish Executive does not see that creating additional targets would add value at this time.

In response to the Equal Pay Task Force report “Just Pay” the Government committed Departments and Agencies to review their pay systems and then address any equal pay gaps. The **Scottish Executive** completed its first review of the pay system which operates in its main bargaining unit (and which covers some 6,000 staff) by the target date of April 2003.

The pay, grading and performance management systems which operate in the main bargaining unit are designed to be non-discriminatory. The equal pay review uncovered no major discrimination. Although the review found gaps existed between men and women in each pay range, these gaps could be explained by combinations of different factors which are known to affect salary (for example, variations in performance appraisal markings and length of service).

The Scottish Executive will carry out an ongoing programme of monitoring and reviewing its pay system to ensure that it is free from discrimination. The next stage of the review, which it is hoped will be completed by April 2004 will include, as well as gender, a detailed examination of race and disability issues and various salary benefits and payments such as overtime.

Equal pay is an overarching policy within the public sector and one which Non-Departmental Public Bodies would be expected to uphold. However, NDPBs, as arm’s length bodies, are responsible for determining their own pay and grading structures within the scope of their enabling legislation/management statements. As public sector employers, they are required to have in place agreed pay structures in line with public sector pay policy. Under the duty of **Best Value, extended to the wider public sector** (including the Scottish Executive and all executive NDPBs with an Accountable Officer) via the Scottish Public Finance Manual, sponsored bodies must be able to demonstrate that measures are in place to encourage observance of equal opportunities requirements, including those relating to the Equal Pay Act 1970. Ministers are ultimately responsible for approving the pay structures of public bodies.

The Local Government in Scotland Act 2003 introduced a statutory duty of **Best Value on local authorities**. Best Value principles are intended to inform and reinforce continuous improvement in the performance of public sector bodies. Whilst delivering greater efficiency and effectiveness, local authorities must also take account of economy and the need to comply with the requirements of equal opportunities legislation. The Accounts Commission for Scotland will audit Best Value in Local Government.

Guidance on how local authorities are to comply with this duty is available at:

<http://www.scotland.gov.uk/about/FCSD/LGPERF4/00014838/page1148216128.aspx>

The guidance encourages both equal opportunities and the observance of equal opportunity requirements, including compliance with the relevant legislation such as the Equal Pay Act 1970 and Sex Discrimination Act 1975. In this context equal opportunities are defined widely using the definition in Schedule 5 of the Scotland Act 1998, namely, "the prevention, elimination or regulation of discrimination between persons on the grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or other personal attributes, including beliefs or opinions, such as religious beliefs or political beliefs".

The duties are defined by the Local Government in Scotland Act 2003 and set within legislation which Local Authorities have a statutory duty to follow. There will be an intervening period where this statutory obligation might take time to bed in. This will be further enforced and promoted through Best Value Audits which will be undertaken.

Whilst the Scottish Executive can encourage **local authorities** (LAs) in this regard as they do all employers, they are independent corporate bodies and pay is a matter for individual LAs and Ministers have no specific power to intervene in relation to staffing matters.

NHS Scotland is committed to becoming an exemplar employer and to the principles of fair employment practice. For example, the NHS Reform Bill will place a legal requirement on NHS Scotland employers to have in place arrangements for the good governance of staff. This places staff governance on the same footing as clinical and corporate governance. Recent agreements have covered pay and holiday issues. Progress towards meeting the Staff Governance Standard is audited by the Scottish Partnership Forum and Audit Scotland and staff perception is gauged through the Staff Survey.

2. Prioritise sectors for action on equal pay

Particular sectors should be prioritised for action. Criteria for selection should include those sectors in which change will have the most beneficial effects for the greatest number of women; those where the pay gap is greatest, or where inequalities in grades and pay are particularly persistent such as Finance and Higher Education.

ACCEPT

The Scottish Executive has identified **Higher Education** as a priority sector for the promotion of action on equal pay in the Scottish Executive's A Framework for Higher Education in Scotland, published in March 2003. The Scottish Executives' funding body for the higher education sector, Scottish Higher Education Funding Council (SHEFC), has made it a condition of grant that HEs have strategies which address equal opportunities effectively. SHEFC monitors HEIs progress in relation to this through analysing their strategic plans and other information that they submit to SHEFC. SHEFC also monitors this through high-level discussion with HEIs at formal institution visits. In addition, SHEFC contributes funding to the UK-wide Equality Challenge Unit, which aims to improve equal opportunities for all who work in the higher education sector. SHEFC also funds the development and sharing of good practice in relation to equal opportunities, including in relation to equal pay in higher education.

The Scottish Executive acknowledges the need for closer engagement with the **Financial Services sector**. This has led to the formation of a Financial Services Strategy Group (FSSG) bringing together government with the sector's major firms, representative groups and trade unions. The FSSG, chaired by the Deputy First Minister and Minister for Enterprise and Lifelong Learning, Jim Wallace, held its first meeting in November 2003 and will continue to meet throughout 2004. It aims to strengthen Scotland's position as a leading financial services centre by fostering an economic and social environment which encourages the development of the sector and responds to its priorities. Through the FSSG the Scottish Executive hopes to strengthen its links with the sector, gaining a long term view of its potential and development needs, to ensure a vibrant future for Financial Services in Scotland. The Close the Gap campaign has also held events targeting the finance sector in Scotland.

3. Promote the conduct of pay reviews

The Scottish Executive should require public bodies to conduct pay reviews to identify whether there are systematic inequalities in pay between men and women, and to devise schemes to remove such inequalities (building on pay reviews that have already been done, e.g. the Scottish Executive completed its own pay review in April 2003). We welcome the planned guidance to local authorities recommending that they carry out pay reviews in order to comply with their best value duties and the impact of this should be evaluated. Private sector organisations should be encouraged to conduct similar pay reviews, using the targets set out in the Kingsmill Review of Women's Employment and Pay, commissioned by the Department of Trade and Industry¹ i.e. 50% of large employers and 25% of smaller companies to carry out reviews within 3 years. This would build on the Close the Gap campaign. It should be emphasised that carrying out pay reviews can contribute to a company's Corporate Social Responsibility (CSR) report, where companies have one. CSR reports cover such matters as a company's ethical trading policies, its concerns for the environment, the way it treats its own staff, and its investment in community or charitable activities. The European & External Relations Committee of the Scottish Parliament recently conducted an enquiry about CSR and there is increasing interest from shareholders and the general public in it.

ACCEPT IN PART

As mentioned in relation to Equal Pay - Recommendation 1: Set a target for the reduction of the gender pay gap, the **Close the Gap** campaign encourages employers to carry out equal pay reviews, using the EOC equal pay review kits.

Also, as already mentioned, the **Best Value** principles applying to local government and to the wider public sector are intended to inform and reinforce continuous improvement in the performance of public sector bodies. Whilst delivering greater efficiency and effectiveness, organisations must also take account of economy and the need to comply with the requirements of equal opportunities legislation.

In relation to **Corporate Social Responsibility** (CSR), the Scottish Executive encourages companies to be aware of CSR but does not prescribe how they should adopt it. The Scottish Executive also welcomes any CSR reporting which is voluntarily adopted by companies but would not make any suggestions as to what should be included in these reports. The Department of Trade and Industry take the lead on discussing CSR with companies in the UK and further information is available on the DTI's website at www.dti.gov.uk.

¹ Denise Kingsmill, 'Review of Women's Employment and Pay', available at <http://www.kingsmillreview.gov.uk>

4. Public sector procurement policies and compliance with equal opportunities

The Scottish Executive should investigate how the procurement policies of public sector bodies might improve equal opportunities. Scottish Executive suppliers are informed that failure to comply with Race relations legislation may render them ineligible to bid for Scottish Executive contracts. This should be extended so that all public sector bodies are required to adopt a policy that they will only buy goods and services from companies that themselves are equal opportunity employers and have a commitment to carrying out equal pay reviews demonstrating their compliance with the Equal Pay Act.

ACCEPT

Public sector bodies are required to adhere to equality legislation. This has recently been further strengthened by the duty of **Best Value in local government and in the wider public sector**.

As already mentioned in relation to Equal Pay Recommendation 1 : Set a target for the reduction of the gender pay gap, the Local Government in Scotland Act 2003 introduced a statutory duty of Best Value on local authorities. Guidance on how local authorities are to comply with this duty urges them to ensure that equalities requirements are taken into account in their procurement strategies. Draft guidance on the duty of Best Value in the wider public sector, containing similar advice, was the subject of consultation in late 2003 and finalised guidance will be issued in 2004. It

All standard **Scottish Executive** terms and conditions contain a clause requiring that contractors will not discriminate within the meaning of the Race Relations legislation and requiring that they take all necessary steps to ensuring that staff or sub-contractors working on the contract comply appropriately. Tenderers are usually asked to disclose adverse judgements relating to the conduct of their business; failure to comply with Race Relations legislation may render them ineligible to bid for Scottish Executive contracts. The Scottish Executive has published guidance on the website to the effect that any company found to have been involved in "bogus" self-employment or to have breached race relations or health and safety legislation may be excluded from bidding.

The whole thrust of public procurement law, policy and best practice guidance is to promote equal treatment between suppliers and to ensure that suppliers are selected on the basis of the ability to perform the requirement rather than any other factors. In effect, public procurement policy is itself a form of equal opportunities policy, albeit between suppliers.

5. Promote flexible working arrangements

The imbalance between women's and men's average working hours should be tackled by active support for more flexible working arrangements, and by challenging the long hours culture present in many organisations. The Scottish Executive can lead by example, can commission research to demonstrate the business case for flexible working, and enlist the support of key Scottish employers in promoting this. It is recognised that large employers often find it easier to introduce such arrangements, and in recognition of the significant proportion of small to medium sized enterprises (SMEs) in the Scottish economy, it is recommended that the Scottish Executive looks for a means to support SMEs in introducing more flexible working arrangements and in proactively taking forward equality legislation and related practices for both large employers and SMEs. This could include support and advice services and investigating practical ways of improving SMEs' access to temporary staff to cover for absences of permanent staff.

ACCEPT

The **Scottish Executive** is already leading by example. It introduced a new policy on flexible working for all staff in April 2003, the same day that the new legislation to facilitate flexible working for parents was introduced, and is currently evaluating a pilot of additional flexibility to flexible working hours scheme across the Scottish Executive. This is all part of the Scottish Executive's commitment as an employer to work/life balance and diversity.

The Scottish Executive will use all appropriate levers and opportunities to promote the key messages about equality, diversity and fair employment, including a range of Ministerial activity and engagement with business representative organisations and key business leaders, such as speech events, business engagements and public and private meetings. But the application of those messages, where they go beyond reminding employers of their regulatory or legislative responsibilities, are for individual businesses to take forward.

The **Enterprise Network** provides support to SMEs across a wide variety of areas including help in overcoming the initial hurdles of starting and running a business, mentoring, networking, opportunities to promote businesses, one-to-one counselling, and group training. On equal opportunities, the Enterprise Networks are involved in directing the work of Fair Play on gender equality and in sign posting SMEs to impartial advice on equality issues. The Scottish Executive is currently reviewing the case for, and the potential remit of, an organisation to provide broader equalities support to SMEs in Scotland. Further information about the work of the Enterprise Network is given in response to Promoting Diversity in the Workplace – Recommendation 1: Make the business case for diversity.

However, terms and conditions of employment, including **work/life balance, is a reserved matter** for which the Department of Trade & industry is the lead

UK Government department. The Scottish Executive liaises with the DTI about their work in promoting work/life balance amongst Scottish employers.

The Prime Minister launched the DTI led Work-Life Balance campaign in March 2000 which covers England and Scotland. Its aim is twofold: to convince employers of the economic benefits of work-life balance, by presenting research and real-life case studies; and to convince employers of the need for change.

Work-life balance is about adjusting working patterns. Regardless of age, race or gender, everyone can find a rhythm to help them combine work with their other responsibilities or aspirations. The campaign aims to promote a range of flexible work options. Further information about it and the support available to employers and employees is available at:

<http://www.dti.gov.uk/work-lifebalance/what.html>

The availability of good quality, accessible childcare is a crucial element in achieving a work-life balance for parents. The **Scottish Childcare Strategy** can help families balance work and family life by ensuring that quality, accessible, affordable childcare is available in all neighbourhoods.

The Scottish Executive Early Education and Childcare Division liaise with the DTI Work Life Balance Team on issues relating to employer childcare support to achieve a work-life balance.

The Department for Trade and Industry's Work-Life Balance Team worked closely with the Scottish Executive to produce a Work Life Balance Toolkit for Childcare Partnerships which is designed to help Childcare Partnerships in Scotland engage with local employers. (For further information see: http://www.dti.gov.uk/work-lifebalance/pdfs/toolkit_scot.pdf.) Employers can offer childcare vouchers, provide on-site nurseries, assist in the purchase of nursery and out of school care places alongside flexible working arrangements.

A wide range of advice about best practice in this area has been made available to employers, including:

- Fair Play Scotland has produced 'Take Time for a Work-life Strategy' - see: <http://www.fairplayscotland.com/html/indexh.htm>
- The Inland Revenue and HM Treasury have published a consultation on Employer supported childcare: improving the tax and National Insurance exemptions. Closed on 31 May 2003, and responses influenced the Chancellor's Pre-Budget Report announcement in December 2003 of tax breaks and NI relief on workplace nurseries and childcare.
- DTI consultation 'Balancing work and family life: enhancing choice and support for parents' closed on 31 August 2003 – see: <http://www.dti.gov.uk/work-lifebalance/choice.html>

Work-life balance is one of the key areas covered in the Gender Equality Action Plan that each of the **Scottish Police forces** will take forward according to local needs and priorities. Further information about these plans is given in the response to Equal Pay - Recommendation 6: Set up programmes to tackle gender segregation.

A key element in delivering fair employment practice in **NHS Scotland** is through the Partnership Information Network (PIN) Guidelines which have been prepared by the service for the service. These Guidelines have been prepared to promote fairness and equity of practice wherever an individual is employed in NHSScotland. There are currently 11 PIN Guidelines, ranging from, Family Friendly Policies and Dignity at Work to Facilities Arrangements and Dealing with Employee Concerns.

As part of its exemplar employer aims, NHSScotland is set to determining how it will deliver the concept of "Health Working Lives". This seeks to go beyond the statutory employment and health and safety duty of care. It is about ensuring everything an organisation does is based on fairness and equity, values staff and promotes their health and well-being, both in work and in their private lives, seeks to maximise employment opportunities and retain staff in useful employment.

6. Set up programmes to tackle gender segregation

Programmes should be set up to tackle gender segregation in occupations where there is a particularly large gender imbalance, along the lines of initiatives such as those encouraging women into engineering and science. Sectors and occupations which might be included in such schemes could be construction, and professions such as surveying and architecture, which are very male dominated; and work in childcare, primary teaching, nursing, and secretarial jobs, which are very female dominated.

ACCEPT

Work is already being done in several areas to encourage women in to traditional male-dominated occupations, and vice-versa.

For example, the number of women joining the police service in Scotland has increased significantly in the last 15 years (to around 20%) but it is recognised that this requires further improvement. As part of the **Scottish Police Service's** commitment to the principles of equality and diversity in relation to employment and service delivery, the Scottish Women's Development Forum has developed an action plan to progress specific activities in the area of gender equality in employment. Each of the Scottish Police forces will take forward the Gender Equality Action Plan according to local needs and priorities. Each plan covers four key areas of employment:

- Recruitment and Selection
- Retention and Fair Employment Practice
- Training and Career Development
- Work-Life Balance

They also include a section on Communication. It is recognised that forces and central service organisations are all at different stages in the progression of gender equality. For this reason, the action plan is not prescriptive: rather it provides suggestions for taking forward specific actions. Forces can adapt the plan to suit their own circumstances and force priorities.

It should also be noted that amongst police support staff, who make up around one third of all police staff, the gender balance is 63% women and 37% men.

The Scottish Executive is undertaking a workforce survey to examine characteristics of the **childcare workforce**, including why people leave that employment. Funding is provided to support training and development for the childcare workforce and the Scottish Executive is looking at qualifications across the sector. Childcare strategy is about removing barriers to people making life choices. Gender imbalance in the childcare workforce is not necessarily bad but the positive role of men in childcare is becoming more recognised and work will continue to increase the number of men in the workforce.

The issue of gender segregation in the **construction** sector has been recognised in the strategy paper "Achieving Construction Innovation and

Excellence in Scotland” published in August 2003 and endorsed by the Deputy Enterprise Minister. Scottish Enterprise Glasgow is working with the construction industry to establish a group to advise the Minister about the way forward on the paper’s recommendations. Other work to attract women in to the sector includes:

- CITB-ConstructionSkills (the Sector Skills Council) is core-funded by the UK Department for Education and Skills to address needs of the industry. Business & Strategic Plans include programmes to attract women (via advertising campaign, careers video and Girl Guide activity pack). There are also plans to develop strategies to mainstream recruitment of women into the sector.
- Scottish Enterprise Glasgow (the lead Local Enterprise Company for the sector) is implementing a 5-year Construction Skills Action Plan with effect from April 2003 (£35m funding from Scottish Enterprise Board) – this includes the need to recruit more women.

Men are under-represented in both secondary and primary teaching (women are 94% of primary teachers and 65% of secondary teachers. But reflecting horizontal job segregation in many sectors, women continue to be under-represented in senior teaching positions). Male under-representation in teaching results in boys having few male role models at school and not aspiring to be teachers which perpetuates the vicious circle of under-representation. The current 2nd Stage review of Initial **Teacher Education** will consider, among other things, how to widen access to teaching, with a view to the profession better reflecting the gender balance and ethnicity mix of Scottish society.

In order to try to break down some of the gender stereotypes prevalent in **schools**, the Scottish Executive’s Education Department organised a major international conference on science education in schools in March 2003. Keynote speakers included senior female scientists and researchers. The Scottish Executive is also reviewing physical education (PE) in schools. Increasing the participation of girls in PE is something that has been discussed by the PE Review Group.

7. Increase the numbers of women decision makers in business and economic development

The Scottish Executive, the UK Government and the private sector all need to do more to encourage the appointment of more women to boards of private companies; and to encourage the appointment of more women to public bodies concerned with economic and industrial development.

ACCEPT

The **Scottish Executive** has itself set targets for increasing the number of women in management positions: to have by April 2005 30% Senior Civil Service (SCS) posts filled by women, 43% of band C posts and 48% of Band B. As at January 2004, the SCS target has been met and good progress is being made on the other targets.

As mentioned in the response to Equal Pay – Recommendation 5: Promote flexible working arrangements, the Scottish Executive will use all appropriate levers and opportunities to encourage **business** to implement equal opportunities for all and promote diversity. The Women and Equality Unit at the DTI have carried out research on the business case for diversity in the boardroom (for further information see:

http://www.womenandequalityunit.gov.uk/boardroom_diversity/index.htm).

However, the application of those messages will be for business to take forward and the Scottish Executive can not dictate to private sector companies who they should or should not appoint to their boards of directors

In relation to **Ministerial appointments to public bodies**, a range of work is in hand or planned to increase the diversity of people who serve on such bodies. At the end of January 2004, 37% of board members and 23% of board chairs were women. Further information about this work is set out in the response to Influence and decision-making - Recommendation 3: Increase women's representation on public bodies.

LOW PAY, JOB SEGREGATION AND UNEMPLOYMENT

1. Remove barriers to women pursuing particular careers

Barriers to women pursuing particular careers range from straightforward unlawful practices (such as denying women work placements for spurious reasons and making them sit tests not required of men) to the more subtle pressures which influence attendance at school, subject choice at school and career choices, such as lack of confidence, peer pressure, and established societal expectations about gender roles. The EOC should consider conducting more investigations in order to tackle unlawful practices. Some parents keep their children, especially girls, off school in order to carry out adult responsibilities and this practice has to be more effectively discouraged by schools and any other agencies that come into contact with these families, such as social workers. The Scottish Executive Education Department should set up a short life working group for schools so that these gender issues are not overshadowed by the understandable focus on boys' underachievement.

CONSIDER

The Scottish Executive is committed to equality for all and raising the attainment levels of all of our young people. It is important that young people of both genders achieve their full potential, and it is acknowledged that factors affecting pupil performance are complex. The Scottish Executive's Education Department is commissioning a research project into the effectiveness of intervention methods employed by education authorities and schools to address **gender inequality in schools**. The Scottish Executive's Education Department recognises that tackling gender inequality goes wider than looking at differences in gender attainment. It is currently considering the best means of taking forward a number of issues which have been identified by the Strategic Group on Women.

The 2001 Census indicated that there are 11,219 young people and children aged under 16 in Scotland with **caring responsibilities**. The Scottish Executive recognises that there may be occasions when young people may wish to undertake some degree of caring for family members and is committed to supporting them in making that commitment. At the same time the Scottish Executive is committed to protecting young carers from inappropriate levels of caring which would have an adverse affect on their schooling, ability to socialise or which could impact on their future development and life chances. The Scottish Executive's Strategy for Carers in Scotland (November 1999) is helping to support young carers predominantly through the provision of new services at a local level and the introduction of new legislation under the Community Care and Health (Scotland) Act 2002 giving young carers an independent right to an assessment of their support needs as a carer. Scottish Executive Guidance (CCD2/2003) in support of the 2002 Act clearly advises local authorities, and other agencies, that "young carers should not have a level of caring responsibility that has a significant and adverse impact on their ability to participate in education, leisure and social activities". The Scottish Executive

is also considering the need for additional guidance to agencies in respect of young carers which would look at issues around identification, support and protection.

2. Encourage more women and men into non-traditional areas of work

A range of bodies should develop actions to encourage more women and men into non-traditional areas of work and to ensure that job stereotyping is not reflected in modern apprenticeships and other training programmes. These bodies should include the Scottish Executive Education and Enterprise, Transport & Lifelong Learning Departments, Scottish Enterprise (SEnt), Highlands & Islands Enterprise (HIE), Jobcentre Plus, the New Deal and Welfare to Work Taskforces, employers' representatives, professional bodies and trade unions.

ACCEPT

The response to Equal Pay – Recommendation 6: Set up programmes to tackle gender segregation, provides information on a range of work to encourage more women and men into non-traditional areas of work.

Welfare to Work policy is reserved to the UK Government through the Department of Work and Pensions (DWP), and the Scottish Executive therefore has limited scope in the development of these policies.

Jobcentre Plus, the delivery organisation for the Welfare to Work programmes, has advised that they will only engage with employers who have an Equal Opportunities Policy, and will therefore not deal with gender specific vacancies, or employers who advocate these. If they are made aware that a particular initiative delivered through contracted provision has an under representation of either sex, they will endeavour to encourage more unemployed people from the under represented sex to participate on this initiative. This is however dealt with on an ad hoc basis.

In terms of specific programmes, there are 2 in which participation is primarily by women. The **New Deal for Lone Parents** aims to provide lone parents on Income Support with the help they need to take up employment and remain in it. Over 90% of lone parents are lone mothers. **New Deal for Partners** is another DWP led initiative, which aims to help the partners of people claiming benefit back into work or move towards work. Both programmes are voluntary.

Currently 35% of **Modern Apprenticeship** apprentices are women and this figure is growing (it was 19% in March 2001), although this is largely due to increased availability of MAs in non-traditional sectors such as Health and Social Care and Business Administration. Careers Scotland has a role to play in ensuring equality of opportunity when promoting MAs to young people. However, as Modern Apprentices have “employed” status, achieving a more

balanced gender split is as much a matter for employers as it is for the Scottish Executive and the Enterprise Networks.

There is a Partnership Agreement target to increase the number of MAs in employment and training, targeting under-represented groups - and we have asked the Enterprise networks to target women as an under-represented group within 2003-2004 and will review which groups should be targeted within 2004-05 and 2005-06.

Self-employment or new business creation are also non-traditional areas of activity for women. The Enterprise networks have the following targets for female business targets:

- Scottish Enterprise (SEn) had a target of 3,040 women-led business assisted in 2002-03. Actual performance was 3,183 (4.7% above target) women start-ups.
- Intend to increase to 40% by 2004/05 - a total of 3,600 women-owned businesses supported by the Network.
- In the Highlands & Islands Enterprise (HIE) area, for 2002/2003, 291 women start-ups have been supported (43% of total start-ups for the year).

Current work to support women business start-ups includes:

- Networking - (formerly Women into the Network) launched in April 2001 - is provided through the Business Gateway. It provides links to organisations, businesspeople and mentors offering a wealth of information, advice and first-hand experience.
- Launched in February 2000 scottishbusinesswoman.com has developed into a key resource for female entrepreneurs. It offers a wealth of hard information to help women get into business and for existing businesses women it is a key networking tool. It promotes a wide range of public and private sector services and support for women.
- The Premier Adviser Accreditation Programme, introduced in July 2001 ensures that business advisers delivering business support services in the Scottish Enterprise area understand the issues and hurdles faced by women.
- Microcredit programme, launched in February 2002 across SEn., although open to both genders is aimed primarily at women. Around 250 clients access the programme per annum, over 80% are female. The 3rd national conference took place on 8th February 2004 in Glasgow. The event targeted pre-start clients from around the country and attracted an audience of over 900 women. A similar event although on smaller scale, held by HIE in November 2002 attracted some 240 women and a further event is planned for later in 2004.
- Business Investment for Growth (BIG), introduced by SEn in September 2002, offers specialist advisory help to women seeking to raise finance to grow their business or to consider alternatives to debt funding and gives access to expertise to develop growth strategies and identify appropriate methods to achieve growth.
- A quarterly newsletter The Networker is circulated to female clients across the SEn network to provide information about Business Gateway services

and activities to assist new business creation and growth and to profile case studies of successful business women.

The Paisley Enterprise Research Centre undertook a feasibility study in 2003, funded by the Scottish Executive, into the establishment of a National Unit for Women's Enterprise (NUWE). The report is available at <http://www.scotland.gov.uk/library5/lifelong/womenreport.pdf>. This strategic Unit has now been established within the Enterprise Networks. The unit is not involved in direct delivery. It is undertaking:

- A strategic review of women's enterprise and identifying potential gaps in provisions;
- Leading the development and market testing of new support mechanisms;
- Promoting enterprise with all stakeholders;
- Examine and share good practice with other organisations, regions and countries.

This will lead to the creation of a comprehensive and clearly articulated strategy for women's enterprise in Scotland for the year 2004-05 and beyond. A separate independent advisory board combining expertise from business and academia has also been established to enable the unit to undertake and maintain an important advocacy role.

3. Carry out training audits

The Scottish Executive Enterprise, Transport & Lifelong Learning Department (SEETLLD) should consider the usefulness of encouraging employers to carry out training audits.

ACCEPT

The **Enterprise Network** already encourages this type of activity through their business support services. For example, in Highlands and Islands Enterprise area, all local enterprise companies require evidence that the company has fully assessed its training requirements in terms of its business needs before a company training grant will be awarded. Effective diagnostic tools, including those which can be accessed on-line, are being developed across the Enterprise Networks to help employers assess training needs with the assistance of a business advisor.

It is important to note that most training audits do not specifically look at gender biases. However, we know that one of the reasons for a gender bias in training is that those undertaking part time employment get less training - and women are more likely than men to be part time. Another reason is that low paid occupations receive less training - there are more women than men in low-paid occupations.

4. Provide better in-work training opportunities

Better in-work training opportunities should be provided for women in low paid low skilled jobs to enhance their job prospects. Research is required to show where this is already being done and how this can be taken forward. We suggest the SEETLLD working with SEnt, HIE, the Confederation of British Industry (CBI), the Federation of Small Business (FSB) and STUC should come together to showcase good practice in this area.

ACCEPT

Highlands and Islands Enterprise is currently supporting a Women @ Work project which is hosted by the Workers' Education Association (WEA). This project targets women in the workforce wishing to upgrade their skills, women in management and women wishing to consider self-employment. The project offers information, advice and training through newsletters, network meetings and training days. There is also a great deal of relevant activity supported by the Scottish Union Learning Fund and the Skills for Business network (for further details see ssda.org.uk). We will investigate the possibility of showcasing good practice in this area.

It is worth noting that where in-work training is not available, services like **learndirect scotland** can act as a gateway to learning opportunities which can be undertaken at a time and in a place which fits around work and home commitments. **JobCentre Plus** is also another helpful source of advice for those in work looking to enhance their job prospects. The new **Individual Learning Account** scheme, ILA Scotland, available from summer 2004, will initially be restricted to people on incomes of less than £15,000 a year. A universal scheme, focused initially on basic ICT skills and qualifications, will be rolled out from April 2005.

5. Extend mentoring schemes

The SEETLLD should consider extending existing mentoring schemes for women starting up their own businesses to women in other types of work.

CONSIDER

The original **Business Mentoring Scotland** programme, created in April 2000 with the aim of providing mentors for high growth businesses, is considered to be successful. One of the specific targets for this year was to increase the proportion of female clients accessing high-growth mentoring support and that is why a Women into Business Mentoring programme commenced in April 2003. Two levels of mentoring support are available, including:

- One-to-one support for growing businesses
- Group mentoring for those planning for growth

It is too early to reach conclusions about the impact and success of this recent focus on women; we will evaluate the effectiveness of this mentoring scheme before considering whether to extend it.

6. Develop public sector strategies on equal and low pay

Local authorities, NHS Scotland and other public sector employers should consider specific strategies to tackle the concentration of women in the lowest paid areas of work and to ensure equal pay for work of equal value.

ACCEPT IN PART

The response to Equal Pay – Recommendation 1: Set a target for the reduction of the gender pay gap, provides information about work to secure **equal pay in various public sector organisations**. See also the response to Equal Pay – recommendations 5 and 6, and Low pay, Job segregation & Unemployment – Recommendation 1: encourage more women into non-traditional areas of work, for information on current and planned activities to tackle the **concentration of women in the lowest paid** areas of work.

In relation to Scottish Police forces, **police pay rates** are determined on a UK basis by the Police Negotiating Board and equal pay rates apply for male and female officers. Recruitment, retention, training and career development are covered in the Gender Equality Action Plan that each of the Scottish Police forces will take forward according to local needs and priorities. Further information about these plans is given in the response to Recommendation 6: Set up programmes to tackle gender segregation.

7. Provide careers guidance and advice for older women

The SEETLLD should ensure that Careers Scotland can cater for the needs of women who want to enter training or employment later in life and for women living in rural areas where job and training opportunities may be more limited.

ACCEPT

Careers Scotland operates an equal opportunities policy across the range of its services - delivering information, advice and guidance to people of all ages, of both sexes and living/working in rural and urban locations across Scotland: there is no specific activity targeted at women. The career planning process focuses on meeting individual needs and therefore reflects age, sex and location. We will encourage them to continue this practice.

PROMOTING DIVERSITY IN THE WORKPLACE

1. Make the business case for diversity

All Scottish Executive departments, the EOC and other agencies with contact with employers, including the Enterprise Networks and employers' organisations such as the CBI and FSB, should inform employers at every opportunity about the business case for encouraging diversity at work, as well as the moral and legal case for doing so. The diversity case, which argues that if your customers are diverse you will benefit from being diverse too, should be promoted. Recent research that suggests that employees are increasingly attracted to companies because of their ethos should be disseminated. The benefits of different leadership styles should be promoted, for example, the multi-tasking skills acquired by mothers.

ACCEPT IN PART

The **Scottish Executive's Diversity Strategy**, Positive About You, seeks out the Scottish Executive's aim to be an organisation which treats our staff fairly and is a leader in diversity and equal opportunities practice within Scotland. The Strategy sets challenging targets for the recruitment and progression of our under-represented groups (disabled people, senior women and people from a minority ethnic background) and we are generally making good progress towards meeting these targets. (For further information see Equal Pay – Recommendation 7: Increase the number of women decision makers in business and economic development.) The Strategy also sets a number of key qualitative objectives to promote cultural change, including a programme of diversity awareness training. It is currently under review to ensure that it remains fit for purpose.

As part of the Strategy, the Scottish Executive is committed to allowing staff to achieve a satisfactory work-life balance. We are keen to develop flexible working opportunities which will be of mutual benefit to the Scottish Executive and its staff, and over 10% of our staff already work part time. Last April, we introduced the right to apply to work flexibly, which is available to all of our staff. We are also currently evaluating a pilot of extended flexibility to our existing flexible working hours scheme.

We have a range of staff networks, including part time, disability and multicultural networks, which provide support and information for individuals and a sounding board for HR policy development. Our newest network, for lesbian, gay, bi-sexual and transgender staff was launched in December 2003.

Our Outreach Initiative aims to bring on and bring in talent. In summer 2003, our second summer diversity placement scheme gave thirty minority ethnic students quality, paid training placements. In addition, a number of development weeks and open days, for both minority ethnic and disabled people, have given an additional insight into the organisation and possible job opportunities and allowed participants to develop appropriate skills.

In November 2003 we launched our new Dignity at Work Policy to eliminate discrimination in the Scottish Executive and create a safe and secure working environment for our staff. We are also conducting an age audit of our HR policies and procedures to ensure we are prepared for the new legislation on age in 2006, and are currently reviewing our childcare policy to enable us to provide a fairer and more inclusive way of supporting staff.

The Scottish Executive is also raising public awareness of racist attitudes and behaviour and the negative impact it has on individuals in the workplace and on society more generally. The '**One Scotland, Many Cultures**' Campaign also aims to celebrate the positive aspects of a multi-cultural society in Scotland. The Campaign was first launched in September 2002 and has consisted of a number of TV, radio, cinema, billboard and bus adverts to raise awareness. The second phase of the campaign was launched on 16 February 2004. The key themes of the latest phase of the campaign are raising awareness of racism outwith the school environment; and tackling racism in the workplace. These themes were suggested by key stakeholders and target a number of people. In addition to promotional work, the Equality Unit also fund a number of projects which aim to tackle racism. We are funding the STUC project One Workplace Equal Rights. This project aims to tackle racism and mainstream equality in the workplace. This is a two year project and fits with the key themes of the One Scotland Many Cultures campaign. The Minister for Communities will launch this project and its website on 29 March 2004.

In the **Enterprise Network**, work has focused on gender, ethnicity and disability to ensure that services are not only open to these groups but actively promoted to them.

- The Business Gateway has an extensive range of support for women business owners and entrepreneurs. Support is provided through business advisers in the HIE area.
- The Enterprise Networks have recently help set up the National Unit for Women's Enterprise. The unit will develop a strategy to encourage more women to start their own business by removing barriers that currently exist such as lack of support networks.
- Scottish Enterprise has an extensive action plan covering its services and those of Careers Scotland to eliminate discrimination and actively promote services to Scotland's ethnic minority population
- HIE has recently formed an internal forum to develop an action plan looking first at race, gender and disability
- Following the success of the disabled entrepreneurs conference in November, Scottish Enterprise is continuing to work with its focus group of disabled entrepreneurs to encourage more new business start ups from disabled people.
- There are a range of initiatives such as the New Future's Fund to help people with both physical and mental disability into employment

Vehicles such as SMQS and Investors In People are used by **Scottish Enterprise** to raise awareness of gender issues and there is recognition of the need to build awareness on broader diversity issues. While the moral case is clear and the legal case developing, attention needs to be paid to the development of a robust business case that is relevant and articulated in a way that the business community can relate to. Currently, the Scottish Executive funds activities undertaken by Fair Play to promote the case for gender equality to the business communities.

Other work that is being done to promote the business case for diversity includes:

- Equality Direct (run by ACAS) provides information on diversity to employers.
- A review of Fair Play has been performed and work is on-going to assess the case for an organisation to provide equalities support to SMEs.
- Enterprise Networks business advisors are capable of signposting businesses to the need to consider diversity and sources of advice but that they are not specialist advisers themselves.

The **DTI** conducts research into the business case for diversity – see www.dti.gov.uk and www.womenandequality.gov.uk for further information. The Scottish Executive does not intend to duplicate the DTI's work in this area but will assist it to promote the results of this work in Scotland.

2. Consider providing subsidies and incentives for SMEs

The Scottish Executive should raise with the UK government the need for greater state subsidies to help employers to meet the costs of maternity and paternity leave, as is done in some other EU countries. The Scottish Parliament and Scottish Executive should explore powers within their scope to offer more incentives for SMEs to assist them meet regulatory requirements, for example, schemes to support temporary labour to cover flexible working, maternity etc. The Scottish Executive's Enterprise, Transport & Lifelong Learning Department should commission research into how other countries are already taking such partnership arrangements with business forward.

CONSIDER

The **Enterprise Networks** are engaged in a wide programme of work to support SMEs in Scotland, including support for women to start up their own businesses. Support is available through the Business Gateway, a first stop access offering improved consistency and quality to all public sector support available both locally and nationally for start-ups and businesses, of all sizes, within the Scottish Enterprise area. The Business Gateway will provide access to a range of services (via a single phone number 0845 601 6611 and website www.bgateway.com or face to face at 42 outlets). Business support provided by Local Authorities and the Scottish Executive are embedded in Business Gateway. Information on the various programmes in the Highlands and Islands Enterprise area can be accessed through their website at www.hie.co.uk or by telephoning 01463 234171. At a UK level the Enterprise Networks are linked to the Business.Gov initiative online at www.businesslink.gov.uk which provides information on national support and legislative requirements. The Scottish Executive liaises with the DTI and other UK Government departments in respect of the impact of employment law and equal opportunities law in Scotland

The Scottish Executive is fully supportive of the **DTI's Partnership at Work fund**. 'Partnership at Work' refers to the relationship between employers, employees and their representatives. Partnership is about developing better employment relationships at all levels, helping to build trust in the workplace and the sharing of information and working together to solve business problems. Where this is successful, employers and employees both recognise the importance of their relationship and work towards developing this further for mutual reward. The fund is a grant scheme which is designed to improve employer-employee relationships, workplace productivity and job satisfaction. Companies, business intermediaries including employer federations, trade unions and other employee representatives, trade associations, Learning and Skills Councils, public sector bodies and charities are all eligible to apply. A number of businesses, unions and organisations in Scotland have successfully applied for this grant.

However, it is not UK Government policy to provide subsidies to employers to help them to comply with their statutory duties under employment and equal opportunities law.

3. Promote the benefits of flexible working opportunities

The Scottish Executive should undertake research on the costs and benefits of flexible working opportunities for large companies and SMEs, as anecdotal evidence suggests that it increases efficiency. The overall working culture needs to change to allow both women and men to carry out other responsibilities and pursue other interests.

ACCEPT IN PART

The response to Equal Pay – Recommendation 5; Promote flexible working arrangements, gives information about work in this area. Research and case studies illustrating the benefits of flexible working can be found at www.dti.gov.uk.

4. Develop good practice on flexible working in the public sector

More work is needed with the public sector to promote the better application of flexible working and policies to improve work-life balance and to ensure that the future pool of employees does not shrink as the Scottish population ages. The Scottish Executive, together with COSLA and the STUC, EOC and other equality bodies should bring forward examples of positive practice and recommendations.

ACCEPT

We are in contact with DTI on reserved work/life balance policy. The response to Equal Pay – Recommendation 5; Promote flexible working arrangements, gives information about work in this area.

5. Link the promotion of gender equality to forthcoming legislation on age discrimination

Employers need to promote age diversity in their workforces in order to prepare for changes in legislation in 2006 regarding age discrimination and to cope with demographic trends.

ACCEPT

The Scottish Executive has worked with the Scotland Office, the DTI and other organisations promoting the interests of older people to ensure that Scottish perspectives are taken into account in the drafting of the **age discrimination legislation** by the DTI. The introduction of the legislation will build on the Department of Work & Pension's **Age Positive** campaign to promote age diversity at work. The Scottish part of the Age Positive campaign was re-launched in June 2003 and further information about it is available at www.agepositive.gov.uk.

As mentioned in the response to Equal Pay – Recommendation 5; Promote flexible working arrangements, the **Enterprise Network** is involved in directing the work of Fair Play on gender equality and in sign posting SMEs to impartial advice on equality issues. The is currently reviewing the case for, and the potential remit of, an organisation to provide broader equalities support to SMEs in Scotland. This is in part a response to the growing recognition that employers need support across the spectrum of equality issues, including gender and age. It also links to the move to a single equality body – for further information on this see the response to Relations between the Scottish Executive and the UK government – Recommendation 4 relating to the new single equality body.

6. Link the promotion of gender equality to the Fresh Talent initiative

The changing demography of Scotland indicates an ageing and declining population. In response to this the Scottish Executive has launched an initiative called “Fresh Talent” to attract people to Scotland. The need to engage the talent of women fully in the economy should be part of this initiative.

CONSIDER

Investigations into gender issues are ongoing in the **Fresh Talent** initiative. Gender equality will be considered alongside other diversity/equality issues. We have commenced a benchmarking exercise which will look worldwide at similar schemes to the ‘Relocation Advice Service’ proposal being taken forward within the Fresh Talent Initiative. Part of this exercise will be to look at how other countries, such as France, have dealt with equality issues.

The policy intent initially is to attract those who wish to contribute to Scotland’s economic growth such as highly skilled migrants, entrepreneurs, those who wish to relocate from the Accession States, foreign students and graduates, talent within the United Kingdom, returning Scots and retain Scottish graduates regardless of ethnicity, gender or age.

CHILDCARE

1. Increase provision and set targets on childcare

Provision should be increased generally by the Scottish Executive and local authorities, both in terms of the numbers of children who can be given places, and in terms of hours of provision. Building on the success of the provision of part-time nursery places for 3 and 4 year olds, specific targets should be set for increasing provision for both pre-school and school age children.

Provision should be sensitive to the needs of specific groups, such as those of rural communities, and minority ethnic communities.

ACCEPT

Scottish Executive Childcare Strategy aims to provide affordable, accessible, quality childcare for children aged 0-14 in all neighbourhoods.

Significant additional resources for 2003/4-2005/6 have been made available to local authorities via the **Childcare Strategy**. Under the Scottish Budget 2003-6, funding for the childcare strategy will rise from £19.25m in 2003-4 to £40.65m by 2005-6. Additional money has also been allocated to increase the totals available for workforce training and development to £3.2/6/6 million over the same period.

Local authorities have been asked to review **out-of-school provision** in their areas, and determine action to address gaps in provision by summer 2004. The Scottish Executive is also undertaking a survey into parents' demand for childcare (see below for more detail of this). The Childcare Strategy is about meeting the needs for childcare, and local authorities are expected to address this and set their own targets if appropriate. Access should be available to all groups.

In relation to hours of provision, there is a developing network of **Sitter Services** providing childcare in the family's own home from early morning until late evening seven days a week. Much of the demand is from lone parents and low-income families who work atypical hours or undertake training. Such services fill a significant gap in the childcare market and offer flexible childcare to parents.

The Scottish Executive is supporting the use of sitter services by providing two year funding from March 2003 for a Sitter Service Development Worker to promote and expand Sitter Services. Childcare strategy funding can also support flexible childcare provision to meet the needs of working parents, and local authorities are expected to identify and meet local need for childcare, working with their Childcare Partnerships.

Sitter services are regulated by the Care Commission, and therefore parents who are eligible for Working Tax Credit and the Childcare element are able to claim support towards the cost of childcare.

The Scottish Executive also commissioned consultancy work to produce a review of the costs and benefits of the existing sitter service models. A summary of the findings of the review is available on the internet at <http://www.scotland.gov.uk/library5/education/ins9-00.asp>. The findings of the report will inform work being taken forward by the Sitter Service Development Worker.

The Scottish Executive has commissioned NFO/DTZ Piedad to undertake **research** into Parental Access to, and Demand for, Childcare in Scotland. The research will use as a baseline the results from the Parent's Demand for Childcare in Scotland 2000 survey.

In addition it will assess the level of demand for childcare for different target groups including:

- Ethnic minority groups
- Single parents
- Student parents
- Parents and families in deprived areas
- Parents and families in rural areas
- Young parents
- Parents of older children.

The research is due to report in spring 2004

2. Improve funding mechanisms

Funding mechanisms that support sustainable childcare should be further developed by the Scottish Executive, for example for after-school provision (where better use should be made of school premises); for communities where a culture of use of formal childcare provision is not well established; and to enable women to make transitions from training to work, or to continue in work when children move from pre-school provision to school.

CONSIDER

As mentioned in response to Childcare – recommendation 1: Increase provision and set targets on childcare, significant additional resources for 2003/4-2005/6 have been made available to local authorities via **Childcare Strategy**. Under the Scottish Budget 2003-6 funding for the childcare strategy will rise from £19.25m in 2003-4 to £40.65m by 2005-6. Additional money has also been allocated to increase the totals available for workforce training and development to £3.2/6/6 million over the same period. The document “School’s Out: Framework for the Development of Out of School Care”, published in 2003, makes recommendations for local authorities to review their out of school care provision.

Childcare Strategy funding can be used to sustain provision. Childcare partnerships are expected to engage with enterprise network which can provide business support to sector.

A **draft Integrated Strategy for the Early Years** has been widely circulated and comments received, and a final Strategy will be published in spring 2004. The aim of the Strategy is to ensure our youngest children meet their full potential, and families and communities are strengthened. The type of integrated service needed to achieve this will build on existing provision and bring together a range of services for children and their parents. Further information about this is provided in the response to Childcare – Recommendation 3: Develop community based childcare and pilot projects.

3. Develop community based childcare and pilot projects

More community based provision should be developed by the Scottish Executive, local authorities and the voluntary sector, including better use of existing school premises and purpose built childcare centres, which co-ordinate a range of forms of childcare to provide flexibility for parents, and which support parental involvement. A number of pilot projects of community based childcare provision should be set up targeting particular groups e.g. deprived urban communities, rural communities, minority ethnic communities.

ACCEPT

Promoting an integrated approach to early years provision will be a key part of the **Integrated Strategy for the Early Years** which will be published in spring 2004.

The Strategy sets out a framework which draws together existing policies from across the Scottish Executive concerning services provided to young children (from pre-birth to compulsory school age) and their families. These include promoting childcare, health visitor support, pre-school education or broader support for parenting skills. The Strategy seeks to promote greater coherence between these Scottish Executive policies to give better support to joined-up delivery on the ground.

The Strategy's overall aim is to ensure our youngest children meet their full potential, and families and communities are strengthened. The type of integrated service needed to achieve this will build on existing provision and bring together a range of services for children and their parents.

The Strategy sets out why support in the early years is so important; and why it is crucial to join up that support around the needs of the child and the family. It sets out where we want to be to enable all children to reach their full potential, contribute to ending child poverty and to close the opportunity gap. Examples of a range of practice in joining up service delivery, provided by contributors from around Scotland, are interspersed through the strategy to illustrate some of the principles described.

The Strategy seeks to support this through the following 5 building blocks:

- Align Scottish Executive policies across Departments, such as the roll-out of integrated community schools by 2007, to enable a co-ordinated and coherent framework for promotion of the health and wellbeing of children in their early years, and that of their families.
- Create greater coherence in relevant Scottish Executive funding to enable fully integrated early years services delivery.
- Propose a set of clear outcomes for local partners, targeting health improvement and narrowing the opportunity gap for children in vulnerable and disadvantaged families.
- Support joint planning, commissioning and single system service delivery of early years services in local authorities and NHS Boards and Trusts.

- Provide a framework to monitor and evaluate impact drawing on analysis of Children's Services Plans, the NHS Performance Assessment Framework and commissioned research.

4. Support childcare through social economy initiatives

Women organising childcare in communities and childcare organisations may be assisted by initiatives which seek to grow the social economy. The Scottish Executive should consider how work around the social economy can be harnessed to address some of the issues faced by women and childcare organisations. For example, it is difficult for community based childcare organisations to move from SIP (Social Inclusion Partnership) funding to independence. They spend too much time chasing alternative funding and lottery money, and if their efforts are to no avail it is not only extremely discouraging to those community activists, but is also damaging.

ACCEPT

The **Enterprise network** can currently support business development for the social economy and other sectors.

The Scottish Executive is committed to developing the **social economy** in Scotland. We recognise that social economy organisations are particularly adept at providing services for the most excluded members of society and those which mainstream service providers have difficulty reaching. That is why the Scottish Executive has been working with the sector and with other bodies to identify what needs to be done to help the social economy grow. This work led to the publication, in January 2003, of a Review of the Scottish Executive's policies to Promote the Social Economy.

The review set out - in broad terms - our vision for developing the social economy in Scotland and committed us to a series of practical actions, underpinned by substantial new funding

We are currently in the process of developing an Action Plan, again in partnership with the sector, to implement the review recommendations. The social economy review is about strengthening the market of potential deliverers of public services and about providing more effective support to social economy organisations. We hope to publish the Social Economy Action Plan shortly.

Current social economy projects being supported by the Scottish Executive include £300,000 over 2003-05 for the development of women's involvement in social economy enterprises in the greater Glasgow area and support for a variety of social economy childcare providers.

5. Encourage employer support for childcare

Employers should be encouraged to provide support for working parents in a range of ways: flexible working arrangements; information about local childcare services; work place crèches

ACCEPT

Childcare Partnerships are expected to engage with employers in the development of childcare provision to meet local need. The Scottish Executive is working with the **Childcare Information Service (ChIS)** to improve information to parents. There is a ChIS network across each local authority in Scotland, providing web-based information as well as a telephone enquiry service for childcare provision in the area.

The response to Equal Pay – Recommendation 5: Promote flexible working arrangements provides further information.

6. Enhance the quality and value of the childcare workforce

A key factor contributing to good quality childcare is the workforce. The Scottish Executive should aim to develop a childcare workforce that is well qualified, well trained and well paid. As a part of the strategy on Equal Pay, the pay and conditions of childcare workers in the public and private sector should be reviewed, and revalued in line with the job evaluation criteria of pay schemes such as the Single Status Agreement for local government.

ACCEPT IN PART

Childcare Strategy commits the Scottish Executive to raising the status and professional standing of the **early education and childcare workforce**. Significant moves being made towards the emergence of a professional childcare workforce, that has a qualifications framework that encourages lateral movement and vertical progression. Work in this area includes:

- “Working with Children” published January 2000 – a comprehensive guide to qualifications and careers in the childcare sector which was revised in April 2002.
- “Childcare: The Training Challenge”, launched in July 2000 and supported by £4 million, seeks to boost the number of people working in the sector. It also places a heavy emphasis on improving access to training and raising the overall skill level of the workforce.
- In the Scottish Budget 2003 – 2006, an additional £15.6m was allocated for workforce development to help fund the awarding of new or additional childcare qualifications. Allocations are: 2003/4 £3.6m, 2004/5 £6m, 2005/6 £6m
- Total funding for Workforce Development from March 2002 to March 2006 is £21.2m

- From 2006, members of the childcare workforce will be required to register with the Scottish Social Services Council. In order to do so, they will have to hold, or be working towards, a recognised qualification.

In relation to **qualifications**:

- Scottish Executive commissioned a study on existing childcare qualifications to examine relationships, commonalities and gaps; and to open up options for the development of a comprehensive baseline qualification for childcare workers. The findings were published November 2003.
- New qualifications are being developed, such as the SGA (Higher) in Early Years Care & Education and SVQ4 in Early Years Care & Education.
- An increasing number of Higher Education establishments are developing degree level qualifications.
- Consultation on the qualifications requirement for registering early education and childcare workforce with Scottish Social Services Council was carried out in 2003 and the findings are due to be published in 2004

Gender imbalance in childcare workforce is not necessarily bad but the positive role of men in childcare is becoming more recognised and work will continue to increase the number of men in the workforce.

Pay and conditions are a matter for employers, local authorities and other providers, to determine. **Job evaluation** is ongoing by local authorities.

7. Better liaison with UK Government

There should be better liaison between UK Government Departments and Scottish interests to ensure that the impact of UK employment and benefits policies on lone parents takes full account of Scottish circumstances.

CONSIDER

There is **already regular liaison** between the Scottish Executive, DWP, Sure Start Unit and ETLLD on reserved issues which have a devolved angle, in particular Welfare to Work and work/life balance. We work in partnership to continue to improve policy responses.

8. Value properly unpaid childcare work

Childcare work should be recognised and valued in a number of ways. A value can be put on the unpaid childcare work carried out by women and men using the model of ONS data on Time Use and Household Satellite Accounts. While this value does not mean that any economic reward is available for such work, it is important in affording recognition to the contribution that childcare makes to the economy and to society, and that women in particular make in this way. The Scottish Executive should provide figures for Scotland based on this data.

CONSIDER

The feasibility of calculating the economic **value of unpaid childcare work** is currently being considered by the Scottish Executive Education Department.

9. Encourage fair shares in childcare

Men should be encouraged to take on a fair share of care and policies advancing this should be put in place. This would include better paid paternity and parental leave, encouragement for men to take on flexible working arrangements, including career breaks, and part-time work, and to reduce their working hours. It would also include the encouragement of a more child-friendly environment where it is easier for either mothers or fathers to share leisure and social time with children outside the home. The Scottish Executive should examine its scope for action and develop an action plan and awareness raising campaign.

ACCEPT IN PART

We are in contact with DTI on reserved **work/life balance** policy; for further information see the response to Equal Pay: Recommendation 5. Promote flexible working arrangements. Further information about **support for parents** is given under Poverty & Social Exclusion – Recommendation 2: Provide support for projects that are particularly beneficial to women.

CARING (FOR OLDER PEOPLE AND PEOPLE WITH DISABILITIES) AND PERSONAL ASSISTANCE

1. Increase support for carers

Provision should be increased generally by the Scottish Executive and local authorities, both in terms of the numbers of carers who receive professional help in caring for other adults, including respite care, and in terms of hours and quality of support. The momentum generated by the Scottish Executive's 'Strategy for Carers in Scotland' and the new rights for carers introduced by the Community Care and Health (Scotland) Act should continue. Provision should be sensitive to the needs of specific groups, such as those of rural communities, and minority ethnic communities.

ACCEPT

The Scottish Executive is already working to achieve better support for carers and is committed to the carers' agenda. The Partnership Agreement contains a commitment to **develop and expand respite services** and the **Carers Strategy** will continue to provide a framework for change. Resources available to local authorities to support carers, including the provision of respite care, have risen from £5 million a year in 1999/2000 to £21 million in 2003/2004. The Strategy recognises that different groups of carers have different needs and emphasises the need for service providers and planners to pay particular attention to the needs of young carers, carers from rural communities and carers from black and minority ethnic communities.

The Scottish Executive is developing a range of outcome measures to monitor the impact of the Carers Strategy on carers' lives. Improved indicators on local authority expenditure to support carers will be available in 2004. Information on the numbers of carers assessments being carried out is being collected from April 2004 and other medium to longer term indicators around carers' assessments and outcomes for carers are planned to come on stream in the next 2 to 3 years.

2. Encourage employer support for caring responsibilities

Employers should be encouraged to provide support for employees who provide care for other adults through flexible working arrangements and information about local carer support services.

ACCEPT IN PART, BUT PRIMARILY A RESERVED MATTER

The Scottish Executive supports the UK Government's **Work-Life balance** campaign and is working with the Department of Trade and Industry (DTI) to promote family friendly employment amongst Scottish businesses. Other recent activity includes the production by Fair Play Scotland and DTI of a guide to good practice 'Take Time for a Work-life Strategy' and a DTI

consultation during 2003 on 'Balancing work and family life: enhancing choice and support for parents'

As an employer, the **Scottish Executive** is leading by example by offering a range of flexible working patterns for its own staff. Further information about promoting work-life balance is given under Equal Pay: Recommendation 5. Promote flexible working arrangements

3. Better liaison with UK Government

There should be better liaison between the UK Government Departments and Scottish interests to ensure that the impact of UK employment and benefits policies on carers takes full account of Scottish circumstances.

CONSIDER

Scottish Executive Ministers and officials **work in partnership** with the UK Government Departments to ensure that Scottish circumstances are taken into account in reserved areas of activity. The Scottish Executive is in regular contact with the Department of Work and Pensions (DWP) a range of issues relating to employment and benefits. The Scottish Executive is aware that employment and benefit issues are of great importance to carers in Scotland. Ministers welcome the significant increases that have been made in the financial support available to carers over the last 2 to 3 years, including a 70% increase in the carer premium allowance, which helped around 200,000 carers in Scotland.

The Scottish Executive has recently assisted organisations such as Age Concern Scotland to engage with the DWP on key issues. The Scottish Executive will give further consideration as to how it can continue to improve the way in which Scottish circumstances are brought to the attention of UK Government Departments.

4. Value properly unpaid care work

As with childcare, unpaid care work for adult care recipients should be recognised and valued.

ACCEPT

Unpaid carers are the backbone of the whole social care system and the Scottish Executive is committed to ensuring that carers are valued and supported. The Scottish Executive is already delivering better support for carers - with additional investment to implement its **Carers Strategy** and to develop services to support carers, as well as new landmark legislation which introduced the fundamental principle of carers as key partners in the provision of care – but we recognise that more still needs to be done. The biggest challenge is to engender cultural change across all the agencies involved in supporting carers and the people they care for - but particularly within health and social care providers so that carers are engaged with, and supported as, key partners. Change is already underway, for example in the NHS through the Patient, Public Involvement Initiative and the introduction of **Community Health Partnerships** but more generally through **Community Planning**. The Scottish Executive will continue to work closely with key stakeholders to help promote change and the carers' agenda.

5. Ensure choice in caring and personal assistance

Caring must also be a choice for carers and cared for parties. For example disabled people might prefer to employ personal assistants rather than rely on family members, as might family members, and policies should reflect this.

ACCEPT IN PART

Choice for carers

The **Community Care and Health (Scotland) Act 2002** introduced new legislative measures to support carers in September 2002. Underpinning the legislation was the principle that carers are key partners in the provision of care and as such need to be resourced and supported in their caring role. Associated guidance on the carers' measures contained in the Act states that the views of carers and their ability and willingness to care must be fully taken into account by local authorities before decisions are made on the services to be provided to the person receiving care. Under the Act carers have the legislative right for the first time to an independent assessment at any time of their support needs as a carer? The Scottish Executive will be monitoring the impact of this legalisation through the development of outcome measures over the next 2 to 3 years.

Choice for persons receiving care

The Scottish Executive is already working to extend choice for disabled people needing home care by extending the availability of direct payments, giving disabled people choice to purchase their own care at home services, for example by employing a personal assistant. Legislation made the option of **direct payments** a right for all eligible people in June 2003 and the Scottish Executive recognises the need to increase awareness and to promote more wide spread use of this option.

POVERTY AND SOCIAL EXCLUSION

1. Report on gender awareness as part of social inclusion work

There are a range of issues which affect women and men experiencing poverty. It is important however that measures taken to address these are gender sensitive, and where possible information about the respective positions of men and women should be collected. These include: maximisation of incomes through take-up of benefits; access to money advice and financial services such as credit unions; programmes for unemployed people; housing and the environment, and health impacts of these. When reporting on the progress on social inclusion, the Scottish Executive should ensure that a gender perspective is given. It is also important that the position of different groups of women should be reflected in reports e.g. minority ethnic women, disabled women, women in rural areas.

ACCEPT IN PART

Through its commitment to Closing the Opportunity Gap, the Scottish Executive will consider **disaggregation of data by gender** where deemed of particular value relative to the costs incurred.

2. Provide support for projects that are particularly beneficial to women

There is a range of types of project from which women in particular are likely to benefit, and support for such projects should be ensured as part of the social inclusion strategy. This includes: childcare provision and support to parents and good quality recreational facilities for children and young people; women's training projects; women's enterprise projects; childcare training projects. In addition, there should be a particular focus on teenage girls from low income households, who often leave school with few qualifications and low aspirations. Projects should challenge gender stereotypes in employment.

ACCEPT

As part of the Scottish Executive's social inclusion work, it is funding two initiatives that will particularly benefit women:

- **Working for Families Fund** - £20m over 2004-2006 allocated to 10 local authorities to develop projects that reduce childcare barriers for parents moving into training, education or employment. Activities must be focused on the most disadvantaged areas or groups. Details of the fund's allocation were announced in December 2003
- **Lone Parent mentoring scheme** - £97,000 allocated in 2003-2004 for face to face and telephone mentoring to support lone parents moving towards employment.

There are a range of other projects being run that are targeted at addressing the particular needs of women and girls. Some, such as childcare provision and training, support for the social economy, women's training, women's enterprise and challenging gender stereotypes in employment, are mentioned elsewhere in response to other recommendations, but the ones that particularly relate to this recommendation include support for parenting and for 16 to 19 years old not in education, employment and training and encouragement for girls and women to participate in sport.

The Scottish Executive believes strongly in the importance of providing **support for parents**. It recognises that being a parent is often the most challenging and rewarding task which anyone will undertake and that there will be times when all parents may have concerns or issues they want to discuss with someone. Having flexible support available can help people to feel positive about the experience of being a parent. More than this, such support is also a key factor in ensuring the best outcomes for our children, given the crucial role parents have in ensuring children are happy, healthy, safe and achieving their potential.

The Scottish Executive is committed to ensuring that all children have the best start in life. The Scottish Executive has a range of policies and programmes that provide support for parenting either directly or indirectly. These include programmes/policies such as **Integrated Community Schools** and **Sure Start Scotland**, which targets support at families with very young children (0-3 years), particularly vulnerable and deprived families.

Careers Scotland key workers target **16-19 year olds not in education, employment and training** (collectively these individuals are referred to as the NEET group) and others at risk. They provide flexible, one-to-one support, working closely with other agencies, tailoring responses to individual needs. There are gender differences within the NEET group, in terms of those at risk of becoming NEET, and of how long individuals remain in the NEET group and the Scottish Executive will consider doing further analysis of those gender differences and their impact on policy and practice.

Sport 21 2003-2007, **Scotland's National Strategy for Sport**, has several key targets focusing on children and young people. The goals of increasing physical activity amongst children require quality sports facilities in sufficient quantity. **sportscotland** has published design guidance specifically for school sports facilities, aimed at ensuring facilities suitable for both school and community use. This guidance stresses the importance of providing safe and welcoming environments for young people to participate in sport and physical activity. This guidance will allow well-designed facilities to be provided as part of the significant investment currently being planned in schools through Public Private Partnerships and the New Opportunities Fund 'New Opportunities in PE and Sport' Programme.

Another key target in Sport 21 is to have over 500 sports halls available to the public so as to ensure that 70% of the Scottish population have access to a hall within 20 minutes walk. The accessibility target of 20 minutes walk is of

course particularly relevant to those without access to a private car, an important consideration in providing facilities accessible to children and young people.

3. Ensure that women's voices are heard

It is crucial to ensure that women's voices are heard in community regeneration projects and strategies and that their contribution is recognised. Consultation exercises by the Scottish Executive, Communities Scotland, local authorities and others should ensure that issues for girls and women are separately identified from issues for boys and men, as well as those that affect people irrespective of gender. Decision-making bodies should likewise ensure that their membership includes women, that girls and women's voices are heard, and that their views have an impact on formation of local strategies. It is vital that in any dialogue, the specific needs of different groups of women are considered. To this end specific activities with women from ethnic minority communities, disabled women, lesbians, older women and women with different faiths should be developed.

ACCEPT

Engagement with all parts of the community is a vital part of the community planning process which helps to deliver improved public services to better meet communities' needs. **Community planning partnerships** (CPPs) are developing new and innovative ways of involving their local communities, particularly engaging communities that are traditionally regarded as "hard to reach" or whose voices are not often heard. This is already making a difference in the way that services are delivered. Some CPPs are looking at more joined up service provision such as bringing together various key services like council services, health services and police services under the same roof or siting services in more accessible places like shopping centres.

The community planning legislation makes clear that local authorities and all other bodies participating in community planning should do so in a manner which encourages equal opportunities and the observance of equal opportunities requirements. The statutory community planning guidance highlights this duty and the importance of mainstreaming equal opportunities in community planning. Detailed guidance on how to mainstream equalities has been prepared by the Scottish Equalities Co-ordinating Group. The guidance specifically suggests that community planning partnerships consult and co-operate with equalities groups.

Communities Scotland are developing draft National Standards for community engagement. These will be based on a number of key principles including that fairness, equality and inclusion must underpin all aspects of community engagement and that this must be reflected in community engagement policies and in the way that everyone involved participates. The standards also make it clear that all diverse groups with an interest in an issue

must be involved in engagement and in particular that there is active promotion of the involvement of people who face barriers to participation. There will also be standards for the support that participants in community engagement need to be involved. These will make it clear that the support needs for each individual must be identified, these include overcoming practical and financial barriers covering a number of areas including care for dependants and timing of meetings. The standards will also make clear that a range of methods must be used for engagement, including methods which identify, involve and support excluded groups.

Further information on ensuring women's voices are heard is given in response to the 3 recommendations on Consultation with Women.

4. Raise awareness about the links between poverty and age

Awareness about these issues, and particularly the link between poor pension provision and poverty, should be raised by the UK Government and the Scottish Executive.

ACCEPT IN PART

The **Scottish Executive is already working with the UK Government** to raise awareness of the link between poverty and age, against the background of significant improvements. Since 1997, the proportion of pensioners in relative low income households has been reduced by almost one third, the proportion of pensioners in absolute low income households has been reduced by over two thirds, and in 2003/04 Scottish pensioner households are on average £1,400 a year better off - around £27 a week.

The UK Government is tackling low income via a number of measures: above inflation increases to the basic State Pension; the new Pension Credit-ensuring minimum income levels and rewarding saving. (£102.10 a week minimum for singles, £155.80 for couples, rising in line with earnings to £105.45 and £160.95 from April 2004.); the Pension Bill, intended in the next UK Parliamentary session; the Winter Fuel Payment- £200, boosted to £300 for over 80s; and Free TV licences for over 75s. The Scottish Executive is helping maximise disposable income via: our Central Heating Programme and the Warm Deal; Free Local Off-Peak Bus Travel, which we are extending to a national scheme; and Free Personal and Nursing Care.

We are also helping improve benefits uptake and raise awareness via: our Membership of the DWP led Partnerships Against Poverty working group; a benefits healthcheck provided through our Central Heating Programme; working with the DWP on the proposals for the 3rd Age service, to be launched in 2004; and information provision through our Agenda magazine and the Scottish Executive website.

DIFFICULTIES IN ACCESS TO SERVICES, INCLUDING IN RURAL AREAS

1. Review gender awareness in public services

The Scottish Executive and local authorities should review to what extent strategic planning for public services takes account of these gender issues e.g. any evidence of consideration of gender differences in need, in barriers to access (particularly infrequency, unreliability and lack of direct public transport links), in usage, in target setting and data gathering, in decision-making, and in consultation.

The particular problems experienced in rural areas should be taken into account.

ACCEPT

The **Community planning** process has a key part to play in ensuring that public services better meet the needs of people using those services. The process requires public sector agencies to come together to plan and deliver services, with ongoing engagement with communities. The process enables better sharing of information and data and the development of sustainable solutions often not the responsibility of anyone agency.

Further information is given in response to Poverty and Social Exclusion

Recommendation 3: Ensure that women's voices are heard

Those running the consultation on **Scottish Rural Partnership Fund** early in 2004 will be required to consider the needs of women in rural areas: for example, to consider the provision of crèche and transport facilities to allow women to participate in focus groups. On an ongoing basis, we provide funds to help with travel costs to conferences and seminars for those from rural communities, including women. It is not always financially possible to run events that are accessible to women in all rural communities; however, the impact of this is minimized by providing information in other ways ie on the Rural Community Gateway website or by using video conferencing.

2. Improve the position of women workers in public services

Women are the majority of public service workers – many of them low paid and part-time. Improvements to women's position as workers is likely to contribute to better quality service provision, and this should be a priority within the equal pay strategy. They should also be consulted by services providers for their views on how to improve services – they have been working at the sharp end for long enough to know what would make a difference.

ACCEPT

The Scottish Executive is working to improve its **consultation and engagement** activity across the board, not just in relation to women, and would hope that a number of new initiatives – including a revision of internal

consultation guidance (December 03) - will help us achieve significant progress over the next few years. The new guidance stresses the need to carry out consultation that is open, effective and appropriate to the audience. Improved guidance is provided on consulting with equality groups (including women) and on non-written methods of consultation which may be appropriate for various equality groups. The guidance encourages staff to think creatively about their stakeholder groups when consulting, and public sector employees may well be a useful group with which to consult on many issues. It also puts consultation firmly within the wider engagement process and encourages early and ongoing consultation and dialogue with relevant groups.

The Consultation Good Practice Guidance is accompanied by 3 new information and communication technology based consultation initiatives:

- CRES, a new internal consultation registration and evaluation system which will seek information on target audiences and consultation methods allowing the Scottish Executive to monitor its consultation activity;
- and to make it easier for people to engage with the Scottish Executive (both systems currently in the final stages of development):
 - SEConsult, a new e-mail alert system which will allow external parties to register to receive copies of all Scottish Executive consultation papers; and
 - Revamped Scottish Executive consultation webpages

Community Planning partnerships (CPPs) are looking at pragmatic and innovative ways to consult and engage with their local communities, for example, holding meetings in community facilities and looking at using new technology more effectively. Some CPPs have People's Panels and send out regular questionnaires seeking views. For further information about CPPs see Poverty & social exclusion – Recommendation 3: Ensure that women's voices are heard.

3. Better use of community resources

The Scottish Executive and local authorities should consider whether better use can be made of schools as community resource centres to deliver welfare services and provide information and increase the opportunities for women.

ACCEPT IN PART

Engagement with the community is one element of the integrated (formerly new) community school approach which was introduced in 1999 and is now being rolled out across the country with the intention that all schools will be integrated community schools by 2007. As part of this approach, some progress in **opening schools up for the provision of services** to the local community is already being made. However, it is for local authorities and their partner agencies to decide whether to make use of their schools in the particular way recommended in the report in the light of local needs and circumstances.

4. Fairness in resource allocation

There is evidence of a need to ensure greater fairness in the allocation of resources, to meet rural needs and to address poverty and deprivation whether it exists in a hamlet or a housing scheme. The Scottish Executive should consider the feasibility of applying different policies/rules for registered childcare providers in different rural and urban areas so that grandparents and other relatives could be recognised childminders in areas where access to childcare is limited either because of remoteness, lack of public transport or lack of sufficient places, and discuss related taxation and benefits issues with the UK Government. The Scottish Executive should also consider whether more work should be carried out on assessing the different cost of providing services in rural and urban areas leading to a re-allocation of resources (as was done in the Arbutnott report on resource allocation for health services). There is a particular need to recognise the relative deprivation of some areas and to note that Glasgow remains the most deprived of all areas.

ACCEPT

The report “**Poverty and Social Exclusion in Rural Scotland**”, published in July 2000, recognised that poverty and social exclusion are not exclusively urban issues but affect rural communities too. There is a need for improved data to assess rural need. Action to tackle rural poverty and social exclusion is ongoing and regularly monitored across all Scottish Executive Departments and externally.

The Scottish Executive is already working to improve its understanding in this area, including better **collection of data to assess rural and urban needs**. The Scottish Executive is continuing to disaggregate social justice data on a rural-urban basis, where data allows, and to provide new rural analyses of

survey and census data. In spring 2004, the Scottish Neighbourhood Statistics project will deliver a significant increase in statistical information at small area level across Scotland and, around this time, an updated Scottish Index of Multiple Deprivation will be released. This Index will draw on the results of a comprehensive consultation and, through increased availability of data at small area level and improved methodology, will deliver a measure applicable to the whole of Scotland. All this work will help to ensure greater fairness in resource allocation.

The **distribution of funds to local authorities** has, for many years, taken into account relative deprivation, and urban and rural settlement patterns, including adjustments for island authorities. A key issue is establishing consistent and credible measures for these indicators. This is regularly reviewed with COS A to try to ensure the fairest possible allocation of funding for services across local government.

Childcare Strategy funding is already allocated to take account of rurality and deprivation factors, and Glasgow receives the highest level of Childcare Strategy funding of all local authorities. Inland Revenue specifically excludes relatives from receiving tax credit eligibility in relation to childcare. Scottish legislation also excludes relatives from becoming registered childminders.

VIOLENCE AND SAFETY

1. Maintain momentum on tackling domestic violence against women

The excellent work that has been done by the Scottish Executive and its many partners to date on domestic abuse, the development into considering all aspects of violence against women, and the more recent work on improving community safety, including safety in the streets and on public transport, should continue. This partnership approach should be used in other areas, e.g. childcare. The three-year Action Plan of the National Strategy to Address Domestic Abuse in Scotland should be reviewed and consideration given to extending it, with its wider remit, for a further period.

ACCEPT

The National Group was established in June 2001 for 3 years. But we recognise that the work is not finished and will decide in early 2004 how we will proceed. It is likely the **National Group** will continue, with perhaps some change in membership. We have established a working group to look at services for children from families with domestic abuse and are:

- working to improve training on the issue by implementing a National Training Strategy to be published in spring 2004;
- extending the Domestic Abuse Service Development Fund to end March 2006;
- developing new aspects of awareness raising – planning an art exhibition to travel round Scotland next year;
- continuing the refuge development programme; and
- working with Procurator Fiscals Service, police and court service to develop a pilot domestic abuse court in Glasgow.

In addition, research on the grant of child contact orders started in March 2004.

The Minister for Communities announced a new fund during the Violence Against Women debate on 27 November 2003. The **Violence Against Women Service Development Fund** will provide £1.5m over the two years 2004/5 and 2005/6 for projects which provide direct services to women who have been raped or sexually assaulted, been involved in commercial sexual exploitation or are adult survivors of childhood sexual abuse. Invitations to bid for funding were distributed before Christmas, and applications had to be returned by 20 February 2004. successful projects were announced by the Minister for Communities on 5 March 2004.

Further funding of £1.86m for 2004 – 2006 for rape crisis groups was announced by the Minister for Communities on 23 January 2003. This funding will support existing services and enable new services to become established in areas where there is no provision at present. A feasibility exercise into a rape crisis helpline will also be carried out.

In relation to **crime** more generally, there is a continued downward trend in crime. Information on the levels of crime recorded by the police in Scotland

published annually through 'Recorded Crime in Scotland' Statistical Bulletin show a 25% reduction in total crime since 1991.

There has been a similar downward trend in the fear of crime. The Scottish Crime Surveys show that the proportion of respondents worried about becoming a victim of crime has reduced from 52% in the 1993 Survey to 48% in the 2000 Survey. There has also been a reduction in the number of women who feel unsafe when walking alone after dark, from 47% in 1996 to 40% in 2000."

2. Consider needs of particular groups of women

To ensure that the provision of support is available to women from minority ethnic communities, disabled women and those in same sex relationships, the Scottish Executive should consider whether the current work on domestic abuse and other forms of violence against women is addressing their needs

ACCEPT

An **Evaluation of the Domestic Abuse Service Development Fund 2000-2002** (see <https://www.scotland.gov.uk/library5/social/edasdf-00.asp>) found that more than half the projects funded by the development fund had undertaken work with specific groups of women. This included women from black and minority ethnic communities. In addition, a small number of projects mentioned work with disabled women, asylum seekers and refugees.

The current Crime and Criminal Justice Research Agenda states that **research** will be undertaken to contribute to a better understanding of the experiences and needs of victims of domestic abuse in order to ensure more responsive and targeted services. Research is also planned to examine the pattern of referral to, and effectiveness of, offender programmes tackling domestic abuse. This research will be undertaken during 2004.

The Scottish Executive also undertook research with **male victims** which was published in September 2002 ("Domestic Abuse Against Men in Scotland").

NHS Health Scotland have recently published a research review which looks at **older women's experience of domestic violence** in Scotland and the response of agencies to the needs of older women affected by domestic violence.

3. Tackle all hate crimes

Assaults that are racially motivated or which incite religious hatred are treated as aggravated assaults; the Scottish Executive should consider extending this to assaults (and harassment) on the basis of the victim's gender, disability, age and sexual orientation.

ACCEPT

Scots law already covers all types of hate crime through the common law. The sheriff has the flexibility to use common law aggravation to increase sentence for hate crimes. The Scottish Executive has convened a **working group on hate crime** to look at ways of combating crime motivated by social prejudice based on gender, sexual orientation, disability and age. The group has representatives from Engender, Equal Opportunities Commission, Capability Scotland, Stonewall Scotland, Disability Rights Commission, Age Concern Scotland, Outright Scotland, Enable, Scottish Association for Mental Health, Equality Network, Police and Crown Office and Procurator Fiscal Service. The group recently published a consultation paper on hate crime; the deadline for responses is 30 April 2004. The group will produce a report for Ministers after analysing the responses to the consultation paper. We expect this to be published in summer 2004.

INFLUENCE AND DECISION-MAKING

1. Increase women's political representation

Women's representation should be increased amongst Westminster MPs, MSPs, MEPs, and councillors. UK legislation has enabled political parties to take positive action measures to increase women's representation, and the steps being taken by parties should be monitored on a regular basis. Given that this is a matter for political parties, and not for government to enforce this monitoring should be independent from government, and could be undertaken by the Women's Convention (as long as this does not jeopardise the charitable status of any women's organisation) and/or the EOC. Targets and timescales could be set by political parties for increasing representation, for example: 15% of Scottish MPs at Westminster are women – at the next election this should increase to at least 25%; and 50:50 representation should be aimed for in the next Scottish Parliament. Also targets should be set for minority ethnic women representatives.

This recommendation is not directed at the Scottish Executive

2. Ensure that reform of the electoral system for local government contributes to the increased representation of women

The Scottish Executive has given a commitment to reform the electoral system for local government. Given the recent lack of improvement in the proportion of women elected, this should be a priority area for the Working Group on Local Government Reform which is looking at widening participation. The extent to which different electoral systems are likely to contribute to increases in women's representation should be reviewed and publicised as part of this process of reform. The review should take into account the experiences of other countries that have a higher level of women representatives.

ACCEPT IN PART

The Scottish Executive has established three working groups to consider practical issues raised by the Local Governance (Scotland) Bill and take forward key aspects of the Scottish Executive's **Renewing Local Democracy Agenda**. The Bill will introduce the Single Transferable Vote as the method for electing local authorities and the Widening Access to Council Membership Progress Group is taking forward work on making council membership more attractive to a wider cross-section of the community, including groups such as women which are currently under-represented on councils. Future work includes meetings with political parties, unions and other groups with an interest in widening access to council membership. The Group is expected to report to Ministers in autumn 2004.

3. Increase women's representation on public bodies

New targets for the increase of women's representation in public bodies should be set by the Scottish Executive, both for members and chairs. As well as monitoring and reporting on progress of these, the Scottish Executive should take active steps to encourage women to apply for public appointments, through mechanisms such as seminars, targeting information about public appointments at women and women's organisations, and support for mentoring schemes. It should also review publicity materials, application forms and job descriptions, and recruitment procedures, to ensure that these do not act to discourage women from applying. It should conduct research on the barriers to women in applying for and obtaining public appointments, and should examine in particular the position of groups such as younger women, minority ethnic women, disabled women, and women from different social backgrounds.

ACCEPT

The Scottish Executive is committed to encouraging a more diverse range of people to apply to serve on the boards of **Non-Departmental Public Bodies** (NDPBs) in order to reflect the social and cultural mix of Scotland.

At the end of January 2004, of all appointees (excluding tribunals and Children's Panels):

- 2.8 % (25) were from minority ethnic communities
- 37% (294) of board members were women and 23% (29) of Chairs were women
- 2.1% (19) were disabled

A detailed strategy for improving diversity in public appointments will be drawn up by the new Commissioner for Public Appointments in Scotland (once appointed). Meantime, we continue our various initiatives to promote public service to under-represented groups eg through speaking engagements, the Guaranteed Interview Scheme for applicants with disabilities, the Scottish Executive's Parliamentary Notification system, the NDPB Shadow Initiative and implementation of the recommendations contained in the Reid Howie Associates research report Diversity in the Public Appointments Process in Scotland (the report is available on the Scottish Executive's Social Research website at <http://www.scotland.gov.uk/library5/government/dpap-00.asp>).

4. Increase women's representation in the judiciary

The number of women applying for and being appointed to the judiciary has increased significantly in the last decade, albeit from a very low base. Around 17% of sheriffs are women and 3 out of a total of 32 judges are women. The Judicial Appointments Board has been tasked with considering ways of recruiting judges and sheriffs who are as representative as possible of the communities they serve, whilst still adhering to the overriding principle of appointment on merit. The Scottish Executive should consider putting the Board on a statutory footing with a commitment to continue its work of encouraging a wider range of applicants. The legal profession should also work more actively to support the many female entrants to the profession to move to senior positions.

ACCEPT

Ministers have already given their commitment to putting the Board on a statutory basis after it has been operating for a little time and when a legislative opportunity can be found; it is not in the current programme for this year.

5. Increase women's representation in decision-making in business

The Secretary of State for Trade and Industry in the UK government has taken steps recently to encourage diversity in the composition of non-executive directors on company boards. This should be actively encouraged in Scotland by the Scottish Executive, and data on the composition of the boards of top Scottish companies should be regularly collated and published.

CONSIDER

As already mentioned in the response to Promoting Diversity in the Workplace – recommendation 1: Make the business case for diversity, the **Scottish Executive supports the DTI's work** to encourage greater diversity in the boardroom and will use all appropriate levers and opportunities to encourage business to implement equal opportunities for all and promote diversity. However, the application of those messages will be for business to take forward.

There are some sources of information about the number of women in senior positions in the private sector, such as an analysis of the composition of the boards of the UK FTSE 100 companies, but the Scottish Executive recognises that there is limited information on the composition of the boards of Scotland's companies. The Scottish Executive is currently considering options for supporting **further research** on gender balance in management positions in Scottish companies. Further information about this area is given in response to Monitoring, Research & Evaluation – Recommendation 7 – Collect data on the position of women in decision-making in business.

6. Increase women's representation in decision-making in trade unions, voluntary and civic organisations

Trade unions, voluntary and civic organisations, should be encouraged to increase women's representation in decision making bodies where necessary. Research that would provide data on the current position, and which would identify examples of good practice, and form the basis for guidance would be most useful here, given that changes will rely on voluntary action.

ACCEPT

Women are already fairly well represented amongst decision-makers in **voluntary organisations**. There are also some proactive measures that the Scottish Executive is taking to promote equal opportunities in the voluntary sector. These include:

- Grant offer letters currently stipulate that organisations have an equal opportunities policy; and
- The Scottish Executive is currently developing a generic application form for voluntary organisations applying to the Scottish Executive for funding – this too includes commitment to equal opportunities.

No data is collected on trade union membership by the Scottish Executive; this will be addressed as part of the work to centralise the Scottish Executive's public appointments process. Further information about this work is set out in the response to Influence and decision-making Recommendation 3: Increase women's representation on public bodies.

The **Scottish Civic Forum** works to enable groups to affect the policy-making decisions which shape their lives. This is done through keeping groups and individuals informed of all government consultations, all parliamentary calls for evidence, and all other opportunities for making themselves heard. We also hold events where civic society itself can set the agenda, and work on projects with other civic groups

The Scottish Civic Forum Council is almost exactly balanced in terms of gender (16 women, 18 men). FonD's steering group comprises 27 women to 17 men. Both these groups are central to decision making on Forum activities

Scottish Civic Forum recently gave evidence to the Equal Opportunities Committee of the Scottish Parliament, on how to attract a more diverse range of candidates to stand for local elections (Local Governance (Scotland) Bill). This included points on how to encourage more female candidates to stand.

The Scottish Executive is currently reviewing the effectiveness of the Civic Forum.

7. Continue Scottish Executive support for consultation with women

The Scottish Executive should continue to support consultation mechanisms to compensate for under-representation, and to enable women to contribute their views to the policy making process. The Scottish Executive is already supporting a number of such mechanisms, of different degrees of formalisation. Adequate sustained support is necessary for consultation with women through the convention, and through support to women's organisations who are contributing to the development of women's networks and to capacity building. The Scottish Civic Forum, also supported by the Scottish Executive, needs to give account of itself as to how well it represents women's views and how much it addresses women's and gender issues, and should be invited to do so by the Scottish Executive.

ACCEPT

The Scottish Executive Equality Unit funds several equality groups to allow them to engage in consultation, including the **new Scottish Women's Convention**. Following feedback from women's organisations in Scotland that there was a need for the Scottish Executive to improve its dialogue with women in Scotland, the Convention was set up in the later part of 2003 by the Equality Unit, in partnership with Engender and the STUC Women's Committee. The Convention will provide a mechanism for women's organisations to come together to discuss specific issues, and a vehicle through which to feed their views into the Scottish Executive, the Scottish Parliament and other institutions. It will also provide the Scottish Executive with another avenue, and a more strategic and systematic way, to consult with women's organisations about new policy proposals. The Equality Unit is providing £366,000 over 2003-2006 for the Convention, but it has been set up as an independent body with its own staff. Its workplan will be determined by its steering group whose 18 members are drawn from a wide range of Scottish women's organisations.

The Scottish Executive Equality Unit also provides support to national and local women's organisations in a variety of other ways, including:

- Funding the Glasgow Women's Library and Engender to maintain a database of national and local women's organisations in Scotland;
- Providing £450,000 over 2003-2006 to the Women's Fund to Scotland to give out small grants to women's organisations and groups to promote social welfare and well-being of women in order to live and work in their communities. Some of the Fund is available to women's groups to hold celebrations around International Women's Day each year; and
- Providing of £185,000 over 2003-2006 for Engender to build their capacity to work with the Scottish Executive, the Convention and others.

As mentioned earlier (see Difficulties in access to services, Recommendation 2) the Scottish Executive is working to improve its **consultation and engagement** activity across the board, not just in relation to women, and would hope that a number of new initiatives – including a revision of internal consultation guidance (December 03) - will help us achieve significant

progress over the next few years. The new guidance stresses the need to carry out consultation that is open, effective and appropriate to the audience. Improved guidance is provided on consulting with equality groups (including women) and on non-written methods of consultation which may be appropriate for various equality groups. The guidance encourages staff to think creatively about their stakeholder groups when consulting. It also puts consultation firmly within the wider engagement process and encourages early and ongoing consultation and dialogue with relevant groups.

The **Scottish Civic Forum's** anti-discrimination project, the Forum on Discrimination (FonD) supports groups fighting for equality, by bringing them together to work on broad discrimination themes (eg mainstreaming, media)

Both FonD and the wider Civic Forum actively seek out the smaller, less well-heard organisations across Scotland, and provides opportunities for them to engage in both policy development, and project work like FonD

FonD holds 4 regional events around Scotland each year, as well as an annual national event, through which women's organisations and others can network, trade and learn skills, and help set the agenda for future anti-discrimination work.

Women's groups and individual women have always been well represented at Scottish Civic Forum consultation events. We have developed good working relationships with key organisations like Engender, and our commitment to making events accessible to all ensures that we attract those who face barriers to participation. As mentioned earlier, the Scottish Executive is currently reviewing the effectiveness of the Forum.

POLITICAL INSTITUTIONS AND POLICY APPROACHES

The report invites the Scottish Parliament to debate the report and the Scottish Executive has arranged for an Executive debate to be held on the report on 18 March. The report invites the Scottish Parliament and the Equal Opportunities Committee to consider three other recommendations which are not included here because they are not directed towards the Scottish Executive.

THE SCOTTISH EXECUTIVE: POLICY APPROACHES AND CONSULTATION WITH WOMEN

Mainstreaming equality

1. Consider the impact on men and women and different groups of men and women from the outset in all new policy development and draft legislation.

ACCEPT

This is one of the principle aims of the Scottish Executive's **Equality Strategy** and the Scottish Executive will continue to work towards implementing it across all of its policy and programme development, legislation, spending plans, service design and delivery. An equalities checklist has been developed for policy makers to use when developing policy.

In respect of **legislation**, all Scottish Executive sponsored draft Bills have to be accompanied by a policy memorandum which states what the impact of the Bill is expected to be on equal opportunities. The Scottish Executive expects that each new draft Scottish Executive Bill should be examined to see whether equality clauses are necessary in the legislation. This may be individual clauses or an 'overarching equality clause' where appropriate. There may be some technical Bills where such a clause would not be suitable. Guidance for Bill teams has been produced.

Many of the Acts of the Scottish Parliament sponsored by the Scottish Executive during the first and current sessions of the Parliament have contained provisions relating to equality ranging from the introduction of general duties to encourage equal opportunities in the provision of services such as social housing and education to specific changes to the law to rectify historic disadvantage such as recognising the rights of same sex couples in cases of adults with incapacity.

As mentioned earlier (see Difficulties in access to services, Recommendation 2) the Scottish Executive is working to improve its **consultation and engagement** activity across the board, and this includes seeking views about the impact of policies.

The Scottish Executive's commitment to mainstreaming equalities into its policies includes looking at the **distribution of resources**. The Scottish Executive is working with its partners in the Equality Proofing Budget and Policy Advisory Group to improve the presentation of information about equalities issues in the Scottish Executive's budget documents, to raise awareness about the need to mainstream equalities into both policies and budgets and to investigate ways of monitoring Scottish Executive expenditure on different groups. The latest example of this was in the draft Budget for 2004-05 in which each department gave examples of the work it would be doing to promote equal opportunities. However, this is ground-breaking work in a complex area which all parties recognize will take time to achieve.

2. Annual reporting on progress on mainstreaming, identification of 'champions' to promote mainstreaming, including information on mainstreaming on the Scottish Executive website by the end of 2003, and developing mechanisms for measuring success by the end of 2004

ACCEPT

Progress on mainstreaming is **reported** in the Scottish Executive's regular Equality Reports and the Equality Unit will continue to work to develop better equality performance indicators as part of its mainstreaming remit.

At Ministerial level, the Minister for Communities, Margaret Curran, champions the mainstreaming of equality and John Elvidge, the Scottish Executive's Permanent Secretary, is "**Diversity Champion**" for the whole of the Scottish Executive. In addition a number of officials have equal mainstreaming in their policy areas as part of their individual responsibilities.

Improvements to the content and layout of the Equality section of the Scottish Executive **website** were made in autumn 2003 and will be kept up to date.

Monitoring, research and evaluation

1. a) **Development of a body of in-depth empirical research in Scotland and**
- b) **development of systems of evaluation that provide assessments of gender impacts of policies.**

ACCEPT IN PART

a) The Scottish Executive has an Equalities research team that was set up to develop a research evidence base to support the Equality Strategy and to promote the mainstreaming of equality across Social Research in the Scottish Executive. The team has developed a **Mainstreaming Equality Web Site** that brings together equality-related research in one place, including research on women's and gender issues, and helps to identify what research is available and where there are gaps. The team will consult with policy colleagues and external experts to identify more specifically what research is needed and how it might be best undertaken.

b) The Equalities research team will **'equality proof' the tools** that currently exist to assist policy makers in evaluating policies and promote these tools through the Mainstreaming Equality Web Site (see <http://www.scotland.gov.uk/topics/?pageid=403>).

2. a) **Monitoring and evaluation of all new projects;**
- b) **standardisation of data collection; and**
- c) **better integration of gender analysis of data and research into policies and more effective dissemination strategies for gender research.**

a) **CONSIDER**

The Scottish Executive is responsible for a wide range of projects and does not adopt a single approach to monitoring and evaluation. A number of tools do exist to assist policy makers in evaluating policies and the Equalities research team will 'equality proof' and consider ways of promoting these tools.

b) **ACCEPT**

Data is collected in many different areas of the Scottish Executive and it is not possible to entirely standardise this data. However, all of the surveys and data collection carried out by the Statistics Group collect information on gender and where possible collect information on age, disability and ethnicity using standard questions. Guidance to researchers on the Mainstreaming Equality Web Site also **recommends that researchers disaggregate their data as far as possible and by gender as a minimum**. Through the Mainstreaming Equality Web Site and related promotional activity the Equalities research team will encourage greater use to be made of the data that is already collected. It is not always possible, however, to make use of the data collected given the limitations of the numbers involved.

c) **ACCEPT**

Some steps are already underway in this area. The **Mainstreaming Equality Website** brings together a whole range of research which was not previously organised in an accessible way and encourages and enables policymakers to use this research in policy development. The Website also contains a Mainstreaming Equality Toolkit for researchers. A **Dissemination Working Group** has been set up within Social Research to improve dissemination and utilisation of all social research produced by the Scottish Executive and is exploring different options which could also be specifically used to disseminate gender research.

3. Think through what their role should be in taking forward the recommendations listed in this report, and whether/what research would be required to facilitate them to do so, including:

4. Regular reporting on all objectives listed in the report and putting in place research and evaluation programmes

ACCEPT IN PART

See the response to Monitoring, Research and Evaluation – Recommendations 1 and 2

5. Review evidence of gender pay gap

ACCEPT

Data on the gender pay gap is already collected through the New Earnings Survey and is analysed by the EOC. The Scottish Executive does not intend to duplicate this work but will continue to review the evidence as part of its work on the Close the Gap project.

6. Assess impact of pay reviews

CONSIDER

The EOC already carry out research into the extent to which equal pay reviews are carried out and the Scottish Executive will discuss with the EOC and the other partners in the Close the Gap project what additional work should be carried out to assess the impact of equal pay reviews.

7. Collect data on position of women in decision-making in business

ACCEPT

Some of this data is already collected and published by the Scottish Executive and by others. For example the Scottish Executive regularly publishes information on the number of women appointed to Ministerial public appointments and the Cranfield School of Management collects information on the gender split of the boards of the **UK's FTSE 100 companies**, some of which are companies with headquarters in Scotland. The recent International Business Owners' survey conducted by accountants Grant Thornton found that Scottish companies have the highest UK proportion, 21%, of female senior managers in the UK, compared with a UK average of 18%.

However, there is no comprehensive survey of women in decision-making positions in Scottish business and the Scottish Executive's Equality Unit is currently investigating how it might, in partnership with other private and public sector organisations, conduct **more research** into this area.

8. Promote research on the business case on for diversity and flexible working

CONSIDER

As already mentioned, the Scottish Executive will discuss with the DTI, and the EOC and the other Close the Gap partners, what more should be done to promote research on the business case on for diversity and flexible working in Scotland.

9. Calculate value of unpaid care

CONSIDER

As mentioned in the response to Childcare – Recommendation 8: Value properly unpaid childcare work, the feasibility of calculating the economic value of unpaid childcare work is currently being considered by the Scottish Executive Education Department.

10. Provide better data on demand for and usage of childcare

ACCEPT

As mentioned in response to Childcare – Recommendation 1: Increase provision and set targets on childcare, Scottish Executive has commissioned NFO/DTZ Pineda to undertake research into Parental Access to, and Demand for, Childcare in Scotland. The research is due to report in spring 2004.

11. Evaluate gender impacts of social inclusion policies

ACCEPT IN PART

Whenever the Scottish Executive's **Social Inclusion Research** team (SIR) is involved with policy evaluation it **considers equalities, including gender impacts as a matter of course**. Involvement is usually through commissioning research or through providing advice. Recent examples of evaluation research commissioned are:

(1) Child Poverty Package Year 1 Monitoring (completed):

This project designed a monitoring framework for two key elements (i.e. a £1,000 annual grant towards the cost of registered childcare for lone parents in full-time HE; funding to FE colleges to widen childcare provision) of the Child Poverty Package, and to undertake collection and analysis of the first year of monitoring data. The initiative impacted mainly on female students, e.g. 96% of lone parents receiving grant in first year were women.

(2) Working for Families pilots (ongoing – reports due spring and summer 2004 and for the main evaluation in 2006):

SID funding pilots to support childcare to help vulnerable parents move towards employment, education or training. Evaluation is at a very early stage as project implementation was delayed. Data will be collected to establish the client group - this data includes information on gender.

(3) Credit Union 2-stage research (ongoing, due autumn 2004):

SID supports credit unions. This forthcoming research will collect credit union membership data including on gender. It seeks to find out - among others - whether credit union membership is higher among women and if so, what the implications are.

There are many social inclusion policies & projects - some of which are not run by SIR, some that are long-standing - which SIR is not involved in evaluating. All researchers doing social research or evaluation for the Scottish Executive are requested to disaggregate data as far as possible and by gender as a minimum.

12. Review gender awareness of public service delivery

CONSIDER

The Equalities research team will discuss this recommendation with the Esther Breitenbach, the research advisor to the Group, to clarify the scope of this recommendation and consider what action would be appropriate.

13. Assess how work on domestic violence meets needs of specific groups

ACCEPT

The current Crime and Criminal Justice Research Agenda states that **research** will be undertaken to contribute to a better understanding of the experiences and needs of victims of domestic abuse in order to ensure more responsive and targeted services. Research is also planned to examine the pattern of referral to, and effectiveness of, offender programmes tackling domestic abuse. This research will be undertaken during 2004.

14. Promote research on women and decision-making

CONSIDER

The Scottish Executive has previously commissioned some research in this area, for example, Fiona Myers 1999 Report on 'Women and Decision Making: A Review of Research'. Work is also being carried out as part of the Gender and Constitutional Change project led by Fiona Mackay at the University of Edinburgh. The Equalities research team will discuss this recommendation with the Esther Breitenbach, the research advisor to the Group, to clarify the scope of this recommendation and **consider what action would be appropriate**. Any work would need to be taken forward in partnership with other organisations. See also the response to Monitoring, Research & Evaluation – Recommendation 7: Collect data on position of women in decision-making in business.

Statutory duty requiring public bodies to promote gender equality

1. Assess the impact of statutory duties in promoting gender equality and consider how this policy approach may be applied in Scotland as part of an overall mainstreaming strategy

RELATES MAINLY TO A RESERVED MATTER

The Scottish Executive does not have power to introduce a statutory duty to promote gender equality. The UK government have given a commitment to introduce a statutory gender duty when a suitable legislative vehicle appears.

2. Report on the impact of the relevant equality clauses of legislation passed in the first session of the Scottish Parliament. If it is being found to be effective, an equality clause should be included in all Scottish Executive legislation.

CONSIDER

The Equality Unit will consider how best to **assess the impact of these clauses**. Assessment of the impact of any legislation requires time for lessons to be fully understood and conclusions to be drawn and the relevant pieces of legislation were only passed in the period 2000-2003. In addition it is imperative that legislation is able to flexibly deliver on policy priorities. Equality clauses will continue to be included in many Scottish Executive bills but the prescribed addition of an equality clause in all legislation is unlikely to provide the flexibility that is required to adequately deliver on priorities, including equality priorities.

Awareness raising and campaigning about gender equality issues

1. Raise the profile of women's inequality and the issues facing women through a campaign, such as those run on domestic abuse and anti-racism.

CONSIDER

The Equality Unit will, in discussion with the EOC who also run campaigns on gender equality issues, consider how best to do this so as not to duplicate the work of the EOC. A **new equality campaign** is unlikely to be run earlier than 2005 so as not to detract from the phases of the domestic abuse and anti-racism campaigns that will be running during 2004.

Consultation with women

1. Proper resourcing for and access to and engagement with the relevant people in the Scottish Executive, Parliament and other decision-making organisations for the new Women's Convention.

ACCEPT

The response to Influence and Decision-making – Recommendation 7: Continue Scottish Executive support for consultation with women gives information about the **Scottish's Executive's support for the new Scottish Women's Convention.**

As mentioned earlier (see Difficulties in access to services, Recommendation 2) the Scottish Executive is working to improve its **consultation and engagement** activity across the board, not just in relation to women, and would hope that a number of new initiatives – including a revision of internal consultation guidance (December 03) - will help us achieve significant progress over the next few years. The new guidance stresses the need to carry out consultation that is open, effective and appropriate to the audience. Improved guidance is provided on consulting with equality groups (including women) and on non-written methods of consultation which may be appropriate for various equality groups.

2. Local events and consultations involving the Executive, Parliament and women's organisations.

ACCEPT

The Equality Unit will continue to hold **local events and consultations** with women's organisations and seek to ensure that women's organisations are invited to participate in any events and consultations run by other Scottish Executive departments.

As mentioned earlier (see Difficulties in access to services, Recommendation 2) the Scottish Executive is working to improve its **consultation and engagement** activity across the board, not just in relation to women, and would hope that a number of new initiatives – including a revision of internal consultation guidance (December 03) - will help us achieve significant progress over the next few years. The new guidance stresses the need to carry out consultation that is open, effective and appropriate to the audience. Improved guidance is provided on consulting with equality groups (including women) and on non-written methods of consultation which may be appropriate for various equality groups.

The Scottish Executive's current review of the **Scottish Civic Forum** includes looking at how the SCF can improve the Scottish Executive's approach to

citizen participation and to broaden the reach of consultation more generally to engage more of the hard-to-reach groups.

3. The Minister for Communities should enter into dialogue as soon as possible with the different women's interests and organisations working with other groups of which women are potentially members and explore in more detail the issues arising from multiple identity and/or compound discrimination.

ACCEPT

The Minister for Communities is in **regular contact** with a range of organisations whose primary focus is on one or more of the traditional equal opportunities areas of gender, race and disability and the newer areas of religion, sexual orientation and age, and with many organisations with other related social justice remits. There is a growing awareness across central and local government and the voluntary sector that some individual's disadvantaged position and lack of opportunities arises from a complex interaction of factors that may include where they live, who they live with and the opportunities they have had whilst growing up as well as who they are. The Equality Unit will do further work to identify individuals, groups and organisations with whom the Minister should enter into dialogue in order to identify the unmet needs of people experiencing multiple discrimination.

In addition to this, the Equality Unit works with cross-strand forums. The Unit works with the **Equalities Co-ordinating Group** to consider issues relevant to equalities in the development of legislation and guidance. The Equality Unit also facilitates an Equality and Human Rights Reference Group, an open group which brings together a wide variety of statutory and voluntary sector organisations to discuss relevant issues of relevance to Scotland in the context of the proposed UK Commission for Equality and Human Rights.

Relations between the Scottish Executive and the UK Government

1. More proactive role in promoting UK policies in the Scottish context and better collaborative working between the Scottish Executive and UK Government Departments

ACCEPT IN PART

The Scottish Executive is **already working** to achieve better collaborative working. We are taking a more proactive approach at both official and Ministerial levels, to ensure that we strengthen working relations with the UK Government. As part of an internal re-structuring, a dedicated UK Liaison Team involving additional staff resources has been established in the Office of the Permanent Secretary to encourage and support officials in their relations with UK Government Departments, and raise the profile of the Scottish Executive in Whitehall.

2. Ensuring that the views of women in Scotland are reflected at a UK and European level through the appropriate government machinery, and should consult with the Equal Opportunities' Committee as part of this process.

CONSIDER

Will need to consider what this would mean in practice as **EU issues** affect over three-quarters of the Scottish Executive's activities in some way. If the members of the Equal Opportunities Committee want to be consulted on all EU initiatives, the European and External Relations' Committee can arrange for all such initiatives to be copied to them. There is always the opportunity for the Scottish Women's Convention to inform the Scottish Executive about its views on EU consultations. These are accessible from the Scottish Executive website or directly from http://europa.eu.int/your voice/index_en.htm

3. Better information on gender issues on the Scottish Executive website

ACCEPT

The Equality Unit added **new sections** on gender issues to the Scottish Executive website during November 2003 and will continue to keep them up to date

- see

<http://www.scotland.gov.uk/about/FCSD/MCGNW/00018500/Introduction.aspx>

This is part of the Scottish Executive's overall commitment to make its website more informative.

4. Ensure that as much authority as possible is devolved within the structure of a new Single Equality Body

ACCEPT

The **Equality Unit has been very proactive on this issue**. An extensive Scottish consultation event with interested groups was held in January 2003, co-hosted by the Scottish Executive, Scotland Office and DTI, to ensure that Scottish views were fed into the UK Government's thinking on its proposals for a new form of equality machinery. The new single equality body will take over the functions of the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission, as well as taking on new responsibility for age, religion and sexual orientation.

The Equality Unit also facilitates the **Equality and Human Rights Reference Group**, an open group which brings together a wide variety of statutory and voluntary sector organisations to discuss issues of relevance to Scotland in the context of the proposed UK Commission for Equality and Human Rights. This group supports and informs the representative for Scotland on the UK Government's Task Force.

The Scottish Executive and Scotland Office will continue to ensure that Scottish views are taken into account in the further development of the new equality body.