



The Scottish Parliament  
Pàrlamaid na h-Alba

## **Equalities and Human Rights Committee**

**Christina McKelvie MSP  
Convener**

The Rt Hon Harriet Harman QC MP  
Chair  
Joint Committee on Human Rights  
Houses of Parliament  
London  
SW1A 0AA

T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP

Tel: 0131 348 5217

[equalities.humanrights@parliament.scot](mailto:equalities.humanrights@parliament.scot)

Via email only

22 December 2016

Dear Harriet Harman QC MP,

### **UK committees - human rights and equalities**

Since my appointment as Convener, earlier this year, I have taken a particular interest in following the work of your Committee. As you are aware, the next few years will see a significant period of change for the UK with preparations for the UK's departure from the EU, the Great Repeal Bill and the proposed British Bill of Rights. Human rights and equalities will be central to many of the issues debated within this context and we hope the principles of human rights and equalities will underpin the conduct of these discussions and continue to play an important role in community cohesion during this time.

More generally we are keen to work with our UK counterpart committees to ensure human rights and equalities are scrutinised, protected and that opportunities to advance these principles are identified and realised.

On 29 September the Scottish Parliament agreed to extend the Equal Opportunities Committee's remit to include human rights. EHRiC, as the Equalities and Human Rights Committee is known, has begun to expand its knowledge of human rights. One of our aims is to support other Scottish parliamentary committees and public authorities in Scotland to apply a human rights filter to their activities and to raise awareness of the importance of human rights to the people of Scotland and the role

these rights play in everyday lives while also maintaining our focus on the protected characteristics.

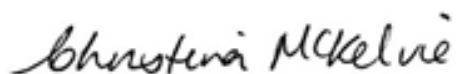
We are conscious that human rights and equalities cut across many reserved areas and in many ways are legislated for by Acts of the UK Parliament, consequently the Committee is keen to avoid unnecessary duplication and wishes to identify opportunities where it can add value to this wider agenda, whether that be responding to counterpart committees' inquiries or holding our own discreet inquiries where it is considered a particular Scottish focus is required.

I attach an overview of the Committee's work programme for your information. The Committee would be very interested to hear about your work programme and also what more we could do to develop a close cooperation on shared subject matter.

In this regard, I would like to propose holding an event where the Chairs of our respective committees and those of the House of Commons Select Committee on Women and Equalities, the National Assembly for Wales Equality, Local Government and Communities Committee and the Northern Ireland Assembly Committee for Communities meet perhaps on a six-monthly rotational basis. This would allow us to discuss our respective committees' key work priorities, consider any emerging matters of relevance and possibly hear from a guest speaker on a topic of mutual interest. I would be delighted to host the first such event in the New Year. If this is agreeable to all I will ask my Clerks to liaise with the respective committee clerks and make the necessary arrangements.

I wish you and your Committee well with your work and look forward to hearing from you in the New Year.

Yours sincerely,

A handwritten signature in cursive script that reads "Christina McKelvie".

Christina McKelvie MSP  
Convener  
Equalities and Human Rights Committee

## **Equalities and Human Rights Committee**

### **Work Programme**

**November 2016 – June 2017**

The EHRiC's work programme for the period November 2016 to June 2017 will include the following five work themes—

1. Scrutiny of Scottish Government's proposed budget for the financial year 2017 to 2018 with a focus on disabilities and universities;
2. Consider the impact of withdrawal from the European Union on equalities and human rights in Scotland (Brexit);
3. Scoping session on bullying and harassment in schools;
4. Consideration of the incorporation of human rights into the Committee's remit; and
5. Inquiries into the transition from education into employment for young people with protected characteristics or who may have difficulty accessing employment due to language or social origin or other personal attributes.

Some key principles will underpin our work. The EHRiC will seek to—

- consider both equality and human rights aspects through each piece of work we undertake;
- review our progress annually, or more frequently if circumstances dictate;
- focus on where our work can add the most value, avoiding unnecessary duplication; and
- complement the work being undertaken by key organisations and other parliamentary committees.

We have also identified some other themes of interest—

- the commencement of the socio-economic duty in Scotland;<sup>1</sup>
- the Public Sector Equality Duty;<sup>2</sup>
- additional powers devolved to Scotland which enable the Equality Act 2010 to be added to;<sup>3</sup>
- the UN concluding observations.<sup>4</sup>

**Please Note:** this programme may be liable to amendment at short notice to take account of other parliamentary business which may be referred to EHRiC, such as primary and secondary legislation, or other topical subjects which might arise. Revisions to the work programme will be published as soon as possible.

### Notification alerts and calls for evidence

To keep up to date on our work please follow the Committee on Twitter: [@SP\\_EHRiC](https://twitter.com/SP_EHRiC)

If you wish to be included in our email distribution lists for our calls for evidence on our work, or to receive our newsletters, please send your email address to: [equalities.humanrights@parliament.scot](mailto:equalities.humanrights@parliament.scot)

Your data will be handled in accordance with the Data Protection Act 1998

### Committee meetings

When the Scottish Parliament is [sitting](#) the EHRiC normally meets at 9.30am each Thursday morning. Meetings are usually [open to the public](#) and are [broadcast](#) on the

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<sup>1</sup> The socio-economic duty was established by Section 1 of the Equality Act 2010 but is not yet in force. It is a legal duty on public authorities to consider the impact that their decisions will have on narrowing socio-economic inequalities. The Scottish Government has given an undertaking to implement the socio-economic for public authorities in Scotland: <http://news.gov.scot/speeches-and-briefings/priorities-speech-taking-scotland-forward>

<sup>2</sup> The Public Sector Equality Duty was established by Section 1 of the Equality Act 2010 and came into force in April 2011. It is a legal duty on public authorities to, amongst other things, promote equality, prevent discrimination and Advance equality of opportunity between people who share a protected characteristic (As set out in the Equality Act 2010) and those who do not: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty>

<sup>3</sup> Sections [37](#) and [38](#) of the Scotland Act 2016 devolved new powers to the Scottish Parliament and Scottish Ministers in terms of equal opportunities and the public sector duty regarding socio-economic inequalities. One of this is the power to implement the socio-economic duty in Scotland.

<sup>4</sup> UN Concluding Observations are assessments made of the implementation of core international human rights treaties by a state which is party to those treaties (such as the United Kingdom). Concluding Observations are issued by the respective treaty body set up to monitor their implementation. More information on the treaty bodies is available here: <http://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>

Parliament's website. Papers for the [next meeting](#) of the Committee, as well as for [previous meetings](#), are available online.

### **Contact the Committee**

If you wish to contact the EHRC, please contact the clerks to the Committee by email at: [equalities.humanrights@parliament.scot](mailto:equalities.humanrights@parliament.scot). You can also telephone the clerking team on 0131 348 5223 or 0131 348 6040.

You can write to the Committee at:

Equalities and Human Rights Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh EH99 1SP

**Committee Work Programme November 2016 – June 2017**

<b>Title</b>	<b>Committee Intent / Action Undertaken</b>
<p><b>Scrutiny of the draft budget for financial year 2017 to 2018</b></p>	<p>We are inquiring into the experience of disabled people and BSL users in applying to, and/or studying at, one of Scotland’s universities as an undergraduate student as part of its scrutiny of the 2017/18 draft budget.</p> <p>In the current financial year the Scottish Government is spending around £640 million to support Scotland’s 19 universities. Universities agree to deliver on certain policy targets set by the Scottish Government. Public funding is delivered through the Scottish Funding Council. An agreed target is to ensure universities widen access to undergraduate places for people who may otherwise find it difficult to attend a university.</p> <p>A call for evidence has been issued and evidence sessions will take place from Nov 2016 – Jan 2017. Reporting thereafter.</p>
<p><b>Impact of withdrawal from the European Union (EU) on equalities and human rights in Scotland (Brexit)</b></p>	<p>We are holding a one-off scoping session to gather information on the potential impact the UK’s withdrawal from the EU will have on equalities and human rights. It is likely we will hold a further session(s) on this topic from spring 2017 onwards.</p>
<p><b>Evidence session on school bullying and harassment of children with protected characteristics</b></p>	<p>Our recent round table sessions highlighted Equality Act 2010 protected groups may disproportionately suffer bullying and harassment in the education system.</p> <p>In particular, sexualised bullying/harassment of girls, especially with the development of modern technology and social media. Bullying/harassment of LGBTI children; disabled children; and children from a Black and Minority Ethnic, or Gypsy/Traveller background.</p> <p>We will hold a scoping session in November 2016 to identify whether further work is required, and if so, what this might consist of.</p>
<p><b>Incorporation of human rights into the Committee’s remit</b></p>	<p>In advance of carrying out a detailed inquiry, we have sought briefings on: the scrutiny of human rights and equalities by other legislatures in the UK; international</p>

Title	Committee Intent / Action Undertaken
	<p>comparisons of best practice in the monitoring and scrutiny of human rights; and baseline information on the UN concluding observations relevant to Scotland.</p> <p>Once this information has been evaluated we will seek external comment to inform consideration of the potential options for scrutiny by us, other committees more generally, and whether there are areas of further advancement the Parliament could undertake in relation to human rights. We anticipate reporting on this topic by June 2017.</p>
<b>Transition from education into work</b>	<p>We intend, in the early part of the session, to target an intersectional theme (where two or more equality characteristics combine).</p> <p>Through our stakeholder evidence sessions we identified the transition from education to work as a key area of focus. This will enable the Committee to pursue discreet inquiry areas within this theme, allowing us to build on the work already agreed. This will also facilitate some follow-up work on inquiries undertaken by previous Equal Opportunities Committees.</p> <p>We plan to hold a series of mini-inquiries in the early part of the session to identify gaps and highlight best practice. These will commence in spring 2017.</p>
<b>Follow-up work</b>	<p>Throughout our work programme we will take opportunities to follow-up work undertaken by previous Equal Opportunities Committees, where relevant.</p> <p>We will specifically look at progress made with recommendations concerning Gypsy/Travellers.</p> <p>An evidence session with the Cabinet Secretary for Communities, Social Security and Equalities will be held in June 2017 to consider progress on the Scottish Government's equalities and human rights policies, which will in turn help to inform our future work programme.</p>
<b>Scrutiny, partnership and oversight</b>	<p>We will also take evidence from the Scottish Human Rights Commission on its annual report. This will be scheduled for early 2017.</p>
<b>Other work</b>	<p>Apart from the items listed above, we expect to consider other items as a matter of course, such as-</p> <ul style="list-style-type: none"> <li>• Public Petitions;</li> </ul>

Title	Committee Intent / Action Undertaken
	<ul style="list-style-type: none"><li data-bbox="671 215 1043 253">• Subordinate legislation;</li><li data-bbox="671 286 1171 324">• Legislative consent memoranda;</li><li data-bbox="671 358 1222 396">• European issues (other than Brexit).</li></ul>