



The Scottish Parliament
Pàrlamaid na h-Alba

**EQUALITIES AND HUMAN RIGHTS COMMITTEE
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Dear Bruce,

Scrutiny of the Scottish Parliamentary Corporate Body (SPCB) budget proposals and other equalities' scrutiny

As you will recall in April 2017¹ the Equalities and Human Rights Committee wrote to the Finance and Constitution Committee (FCC) with our submission to the Budget Process Review Group (BPRG). As part of that submission we highlighted the need for the budget scrutiny process to develop in terms of mapping the medium to long term equality impacts of budgetary decisions in the Scottish public sector on equalities.

The Committee was very pleased to see the direction in the BPRG's final report in terms of the need for more focus on equality and diversity as part of the budget scrutiny process.

Our Report, [Looking Ahead to the Scottish Government's Draft Budget 2018-19: Making the Most of Equalities and Human Rights](#) covered, amongst other topics, the need to improve equality data and difficulties in linking public authorities' budget setting with equality outcomes.

As such, there are a few areas where the Committee would like to see action being taken to stimulate an equalities focus. These are: SPCB to be scrutinised by the FCC on how it is meeting the general equality duty in its decision making, subject committees to consider whether relevant public

¹ Letter to the Budget Process Review Group 20170427:
http://www.parliament.scot/S5_Equal_Opps/General%20Documents/letter_NOW.pdf

authorities' decision making are meeting the general equality duty, and the provision of guidance on equality budget scrutiny to committees.

For clarity, the purpose of the Public Sector Equality Duty (PSED) in protecting and promoting equality is to ensure that public authorities and those carrying out a public function consider how they can positively contribute to a more equal society through advancing equality and good relations in their day-to-day business, to deliver improved outcomes for all, through:

- taking effective action on equality
- making the right decisions, first time around
- developing better policies and practices, based on evidence
- being more transparent, accessible and accountable.

Scrutiny of the SPCB in having regard to the PSED

The FCC session with the Scottish Parliamentary Corporate Body (SPCB) has potential to investigate how the SPCB, in setting its budget and exercising its functions, has due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct,
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not,
- Foster good relations between people who share a protected characteristic and those who do not.*

*(collectively known as the “three needs”).

The FCC scrutinised the SPCBs 2018/19 budget proposals on 6 December 2017. We noted that the SPCB's budget bid requested additional staffing resources to deal with increased demand on the Scottish Parliament service as a result of newly devolved powers in areas such as social security, increase demand in the scrutiny workload and public engagement functions of the Parliament, as well as the potential consequences from the UK's departure from the EU.

We would be interested to learn how the SPCB's request for resources to provide 13 new staffing posts in the parliamentary service, and its budget more generally, gave due regard to the “three needs” under the *general duty* set out above.

Subject committees' scrutiny of relevant public authorities on PSED

More generally we consider parliamentary committees could make more use of the information required under the PSED *specific duty* mainstreaming reporting framework, to gain an insight into how their public authority stakeholders' budgetary decisions impact on equalities outcomes. We would very much like to see parliamentary committees make this part of the budget information they are gathering and also identify where there are gaps on reporting. This information is valuable in ensuring there is no rollback of

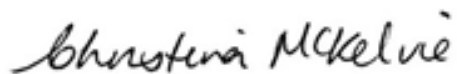
protections in light of ongoing budgetary challenges facing Scotland's public sector.

Need for guidance to support committees

Regularising this approach at an early stage would be a practical step towards the implementation of the regime envisaged in the BPRG's final report. The Committee is committed to assisting the budget scrutiny process in terms of effective scrutiny of equalities. We would be happy to contribute to any specific guidance on PSED and any general equalities material which may be being produced by FCC to support committees.

I am copying this letter to the Scottish Parliamentary Corporate Body for information.

Yours sincerely,

A handwritten signature in black ink that reads "Christina McKelvie". The signature is written in a cursive, flowing style.

Christina McKelvie
Convener
Equalities and Human Rights Committee