

Equalities, Human Rights and Civil Justice Committee  
Budget Scrutiny 2025-26. Deadline 13<sup>th</sup> Feb 2025  
**Equality Network, Inclusion Scotland and CEMVO**  
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## Budget Scrutiny 2025-26

*“Equalities and Human Rights*

*The evidence of the Scottish Government’s stated commitment towards a human rights budgeting approach is limited, with **considerable barriers to transparency and a lack of public consultation**. Whilst the Equality and Fairer Scotland Budget Statement has undergone a sleek makeover and is now less repetitive and a better illustration of a mainstreamed approach, it appears that **existing approaches are being heralded as ‘new’**. The long-awaited findings of the OECD-supported Gender Budgeting Pilot have been published alongside the Budget, but this **highlights the challenges of a siloed approach** to budget-setting and concludes that there is a **lack of strategic over-arching gender goals**. The additional detail in the Distributional Analysis is useful in understanding policy impacts by income quintile, however there is **still little detail on the impact of spending decisions on non-poverty related inequality**.”*

- [Scottish Budget 2024-25 | Scottish Parliament](#)

### 1. Introductory comment.

This response is submitted on behalf of Equality Network, Inclusion Scotland and CEMVO. We work with and for intersectional LGBTI+ people, ethnic minority communities, and disabled people across Scotland. We are third-sector organisations working across many aspects of equalities and human rights in Scotland and representing many multi-faceted, multiply marginalised, intersectional, and diverse communities. We are approaching this response with a wider lens to highlight the collective feeling regarding ensuring equalities and human rights are carefully considered within Scotland's budgeting, both reflecting in hindsight and looking

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Response sent to: Equalities, Human Rights and Civil Justice Committee, The Scottish Parliament, Edinburgh, EH99 1SP. [EHRCJ.committee@parliament.scot](mailto:EHRCJ.committee@parliament.scot).

forward as we face ongoing challenges in the future. This allows us to highlight the intersectional nature of our concerns and the holistic aspects of our hopes for moving forward. In order to ensure this response is not unwieldy for the committee, and due to the short timeframe given, we are not able to cover all data on disparities of such a vast intersectional and multiply marginalised community –therefore this response is higher level due to the nature of your ask, but it will hopefully align our priorities and approach. There is of course plentiful evidence and data to back up disparities and concerns outlined that both Scottish Government and the Equalities Human rights and Civil Justice Committee (EHRCJC) will already be aware of. As organisations we have shared considerable data with Scottish Government as part of our ongoing work.

As the Scottish Budget sets out Government spending priorities for the financial year and is a piece of work that directly and unquestionably reflects government priorities, it is important that equalities and human rights organisations working to promote the advancement of equality and the realisation of rights in Scotland have their say when said budget is being considered. For that reason, we are grateful for the opportunity given here.

We are united in our call for proper intersectional consideration alongside resources and support for our communities and those of us in need of resources to work with, alongside and for these communities.

We know that due to changes in political environments and to having a minority government the budget this year has brought with it significant challenges, but we want to ensure that equality and human rights efforts are not stilted because of this. This is a call to Scottish Government and the EHRCJC to ensure that equalities and human rights remain front and centre in a progressive Scotland and that the government is held accountable for this. This call crosses portfolios. Equalities and human rights progress should be reflected across all portfolios including but not limited to Health and Social Care, Justice, Victims and Rural remits. This should factor in equality and human rights planning, delivery and development and implementation across local authority budgets and public sector improvement budgets, as called for by many stakeholders for many years. All improvements in this remit must consider marginalised people with clear action.

We remind the committee and Scottish Government that this budget does indeed reflect your priorities regarding the advancement of equalities and human rights, and the bettering of lives for people in Scotland. Genuine transparency, true accountability and equity in resource allocation - particularly for marginalised and protected groups - we would hope, is paramount. The decisions made when developing the Scottish Budget directly impact individuals' ability to live lives free of discrimination and unnecessary barriers, with the ability to access their rights. These decisions send a message to Scotland – they move towards progress, they avoid retrogression, and they hopefully continue working towards addressing structural inequalities that

disproportionately affect marginalised and multiply marginalised groups in Scotland, and those who advocate for, provide support to and work with them.

We were asked to provide comments on equalities considerations with regard to the 2025-2026 budget via email on the 29<sup>th</sup> of January with a deadline of the 13<sup>th</sup> of February. With many pressing and competing priorities within the realm of equalities and human rights policy and engagement, it is important that stakeholders are given adequate time in which to reflect, consider and provide fully formed response. With little time to consider and enable full research into the full details of budget considerations, decisions across portfolios, and with respect to rurality it is difficult to respond as fully as we might have liked to the specific questions laid out in correspondence. However, we would like to take this opportunity to highlight what we feel would be key considerations for moving forward in the development of this year's budget from an equalities and human rights perspective.

Due to the stretched capacity across the 3<sup>rd</sup> Sector, influenced by budgeting decisions, coming together in this submission allowed us more opportunity to share what we feel we need to share in a particularly short timescale, ensuring to highlight key priority areas shared across our organisations and communities. We take this opportunity to present our key points for consideration throughout the budget scrutiny process and whilst the committee addresses the Minister.

## **2. Key considerations.**

1. Equalities and Human Rights should be a priority within budget considerations in a progressive Scotland where there is significant work to be done, inequality and human rights breaches to be addressed and significant work to be done either in informing the public, improving attitudes, providing equality competent services and ensuring the representation of marginalised people within the development of work that affects them and their quality of life.
2. Scotland's Budget should aim to resource initiatives and programmes that target institutional inequality in education, employment, access to transport, in health care and social care, in social security, as well as within public, social, political and cultural life. Positively advancing these areas is imperative in a Scotland moving ever closer towards a human rights framework.
3. The budget 25-26 should be actively working towards supporting a progressive realisation of rights across Scotland and evidencing the success seen when moving towards this, rather than passively and apathetically witnessing any regression.
4. Some organisations within the equalities sector support member organisations and/or grassroots groups across Scotland. The survival of

these organisations is imperative to equality work in Scotland. Ensuring we can continue supporting these organisations is vital.

5. Intersectional equalities competence should be embedded across all considerations about budgeting.
6. Poverty and the cost of living are affecting us as organisations and the communities we represent, advocate for, and provide services too.
7. In rural, highlands and island communities there are geographic inequities in achieving National Performance Outcomes, particularly in access to education, healthcare, and housing. This is likely to significantly affect marginalised groups across these areas.
8. Many disabled people face additional living costs that are not fully offset by existing benefits or tax measures and are disproportionately prevalent in poverty statistics.
9. The most up to date data shows that child poverty for Minority Ethnic children continues to rise, 43% of Minority Ethnic children currently live in relative poverty. That's more than double compared to white children in Scotland.
10. We have evidence to show that LGBTI+ people are also disproportionately affected by the rise in the cost of living.
11. It is important to prioritise targeted interventions for marginalised groups, for LGBTI+ people, disabled people, Black and minority ethnic people, women, and rural and island communities.
12. Long standing gaps should be addressed – we recognise these harmful gaps and how they affect our communities – in housing, social care, health inequalities, and digital connectivity.
13. Data improvement has long since needed reform. We call for the development and proper use of disaggregated and intersectional data to monitor and measure progress and the impact of budgetary decisions on improving the lives of marginalised people.
14. Participation is key – we ask that Scottish Government continues toward embedding the participation of intersectional and marginalised people in a meaningful way. To do this it is essential to invest in civil society organisations. We empower and amplify diverse voices, and we aim to ensure that there is meaningful stakeholder engagement in decision-making processes.

Finally, a comment for Scottish Government with regard to the distribution of EHR Funds;

15. Legislative policy work, public sector, and wider work with communities around the advancement of their equality and human rights in social life, services and institutions require partnership and collaboration, for many reasons this requires longevity, project development and planning. Scottish Government must comprehend that a lack of clarity for the third sector around funding stream timescales presents difficulties here.

16. Equalities charities and the third sector cannot develop strategic equality and human rights policy work nor competent service delivery without clear, timely and forward-looking funding information.
17. A continuously rolled over fund without allowance for significant increases in overheads, salaries, and national insurance leaves us struggling to cover project delivery effectively and struggling to ensure capacity to deliver equalities and human rights outcomes.
18. Scottish Government must recognise that we are small organisations and do not have the capacity to be involved in the engagement around, research, development and implementation of all pieces of Scottish Government work without resource to increase capacity.

### **3. EHRCJC questions explicitly answered,**

#### ***i. The extent to which you believe that equalities considerations did inform decisions in this year's budget?***

Within the Parliament's Budget 24-25 published documents, selected evidence and examples of budget measures were detailed regarding themes and characteristics, we welcome this transparency though this information does not highlight anything about spending decisions, it does outline some of the narrative. Belief is based on transparency and evidence. We cannot comment on considerations but instead only on what is reflected by what has been delivered and where tangible work, development and improvements can be seen.

We value the Equality and Fairer Scotland Statement that intends to aid scrutiny through an inequalities lens, and we encourage its use as a measurement tool for analysis of the decisions made and the impact on equalities issues and outcomes. Currently we are not convinced that it is being used meaningfully. In recent years we have seen little impact, though in principle value the transparency intended via the presentation of analysis available. This work is intended to make clear what is known about inequalities and what impact spending has had on tackling inequalities. This currently leaves somewhat to be desired. We have no evidence to suggest that there has been any improvement on LGBTI+, disabled people, or ethnic minority communities' lives or their experience of inequality in Scotland. This does not mean the tool is inefficient but rather well intended mechanisms for measuring impact are not matching up with on the ground felt impact from within communities. This requires closer working with third sector originations to make visible the reality of the impact of spending beyond the administrative reporting and to improve spending for maximum meaningful impact in relation to NPF outcomes and tangibly improved lives.

As third sector organisations, we have continuously raised concerns that the Equality and Fairer Scotland Statement relies on information provided by Equality Impact

Assessments and mainstreaming reports from relevant public bodies and government portfolios. However, we know that EQIA's and mainstreaming reports continue to lack impact. For meaningful decision making and transparency, there needs to be an improvement in accountability for monitoring tools to be effective and then used as evidence in a budget. We have outlined these improvements in our recent responses to the Equality and Human Rights Mainstreaming Strategy.

We welcome the fact that this year the process for creating this document has been updated to engage portfolios and their budget setting with the equalities impact they may have depending on their decisions. We also welcome ongoing work with the Equality and Human Rights Budget Advisory Group. We encourage as far as possible engagement with the third sector and those who work (in policy development, in service delivery and in advocacy) for the equality and human rights of marginalised people in Scotland, to ensure that this work is reflective of the needs of those most at risk of not having these met. Evaluation of tangible real-life impact remains vital here. More transparency then, regarding this evidence and what is then placed in the Programme for Government, is needed to reflect this. We would welcome more analysis regarding key decisions and the publication of more results like that of the gender budgeting pilot. Concern remains regarding the analysis of the impact of how spending has changed, and with a lack of clarity / detail of how spending decisions are made and further how equalities impact considerations are reflected in these decisions as part of that process. We concur with Angela O'Hagan (SHRC) who said<sup>1</sup> that despite improvements in transparency and openness, there is 'a long way to go to embed these approaches to decision making across government departments' and we push for facing and acting on the challenge of mainstreaming cross-cutting issues across portfolios.

Finally, we are disappointed that the Distributional Analysis focuses on household income and not protected characteristics. This is a grave shortfall as it does not allow decision-makers to identify disproportionate impacts, demonstrating concerns that equalities considerations were limited in informing this year's budget.

***ii. To what extent did equalities considerations inform decisions across portfolio areas?***

Again, this is based on what is evident and apparent within tangible work carried out, visible, actioned and reported across differing portfolio areas. We see that there has been notable progress across some areas and commend this, particularly in healthcare, housing and climate resilience however we still fail to see intersectional considerations and tangible progress for specific marginalised groups, those groups that we as organisations represent here. It is clear that equalities data evidence is not widely used/has limited use in informing decisions across portfolio areas. We have seen more investment in tackling poverty, through initiatives like Best Start, Bright

<sup>1</sup> [Human Rights and the Scottish Budget 2025-26](#)

Future and increases to Social Security Scotland (SSS) benefits. However, given that Ethnic Minority communities and many other marginalised groups are disproportionately more likely to live in relative or absolute poverty, they're application and approval in SSS benefits is worryingly low. We recommend working with third sector organisations to take targeted action to engage with these groups to raise awareness of support available alongside rigorous anti-racism and anti-discrimination training for delivery partners. We hope that there will be continued efforts across portfolio areas to improve this.

**Health and Social Care and Health Inequalities;** Here it is vital to consider the experiences of women, LGBTI+ people, disabled people, neurodiverse people, minority ethnic faith communities and people of colour as well as people living in rural and island geographies across Scotland. It is imperative to ensure resources for equalities competent development for services, spaces and delivery across harder to reach areas, where communities may be isolated due to further marginalisation. There is ample evidence from civil society organisations and the NHS pointing directly to the disparity of experience, negative outcomes, and significant barriers to access across health and social care support. It has long been established that marginalised groups suffer disproportionately with poor mental health. We commend the work of the Mental Health Directorate in this area to date and urge further resource to be given to improving the state of mental health services in Scotland.

**Finance & Local Government /Housing, Regeneration & Local Government /Social Security & Welfare /Environment, Climate Change and Land Reform;** Evidence points to the fact that women, disabled people, neurodiverse people, LGBTI+ people, and people of colour face unnecessary and discriminatory barriers in access to housing, often a poor standard of living, inadequate housing, increased poverty, a higher risk of homelessness, poor participation in public and community life, and inequality of access to spaces and services across local authorities and geographic areas due to fiscal constraints on investment in equality and human rights focused delivery and equalities competence development in public services, and due to socio economic and geographical disparity. Work here should be targeted and comprehend intersectional experience. It should aim for non-discrimination, full accessibility, awareness, equalities competent support and to deal with geographical disparity.

Whilst we praise the government's focus on child poverty, we must highlight that poverty will remain a huge concern for marginalised people, particularly for families of disabled people and disabled individuals due to additional costs disabled people face and the inadequacy of disability benefits. For example, supported people are still having to pay care charges despite a commitment to removing them – this was not planned for within any budget.

**Education and Skills;** LGBTI+ Inclusive Education is still yet to be fully implemented across all of Scotland schools and is needed now more than ever with a rise in anti-

LGBTI sentiment and bullying and discrimination across schools and higher education. Similar models may be followed for race and disability inclusion and awareness, there is also scope for further work in schools on gender inequality, misogyny and understanding intersectionality – both in curriculum and in delivery. We welcome the launch of the Anti-racism in Education Programme (AREP) however for it to drive impact it must be rolled out across all education establishments in Scotland. Additional Support Needs in Scotland's schools is at an all-time high and are severely under resourced. “Inadequate ASN provision is now having an impact across the whole learning population and is detrimental to the wellbeing of children and young people; the wellbeing of school staff; and the educational experience for many pupils.”<sup>2</sup> There is inequality in the remit of education and skills across Scotland; access to schools and learning due to geographical disparity, discrimination, poverty, attainment gaps, and digital access. This needs attention.

**Justice and Home Affairs / Crown Office and Procurator Fiscal / Victims' rights, protection of victims:** LGBTI+ people, disabled people, people of colour, people of minority faith, and women are increasingly subject to violence. The justice system does not serve them well. Safety, access to justice and support for victims must be resourced and improved by working with and within these communities. Scotland must protect and enable justice for marginalised and vulnerable groups. Also relevant here is the right to freedom from torture and inhumane treatment. There are a number of bills under consideration that have failed to materialise which may have presented opportunity to ensure all are free from these: We hope to see a Bill to end conversion practices, A human rights bill for Scotland - that properly incorporates the protection of LGBTI+ people, and treaties that explicitly seek to protect women, disabled people and people of colour, The Misogyny Bill, and improvements to health and social care that had been promised by the NCS Bill.

**Rural Economy and Tourism / Rural Affairs, Land Reform and Islands / Transport, Infrastructure and Connectivity;** As stated above, marginalised people face further barriers when living in rural and island areas. It is vital that within all work, to improve rural access and quality of life that marginalised, and multiply marginalised people are consulted and considered within this work. Of concern here with respect to both the disabled and LGBTI+ community in rural Scotland are – transport (affordability of transport, safe and accessible transport), access to safe spaces for social engagement, isolation and poor mental health, also cultural rights and the right to participation, digital exclusion, support for marginalised rural groups (including around affordable energy as many by necessity are alternative fuel users).

Finally, the **Constitution, External Affairs and Culture Portfolio** presents an opportunity to meaningfully consider the civic engagement and cultural life of multiply marginalised groups, who currently may not have access to either. The freedom for

<sup>2</sup> <https://www.eis.org.uk/additional-support-needs/jointstatement>



all to express who they are and to be aware of their culture and its expression is pertinent here and presents scope for meaningful work within communities.

Overall, from the information provided on the budget it is clear that the approach to EQIA's from decision-makers still does not capture intersectionality, we are concerned that equalities did not inform decisions in this year's budget. For example, the information provided does not show how spending decisions have been made and how equality impacts have been considered as part of the decision-making process. Statements like 'there are hundreds of spending lines at levels 3 and 4. This makes it difficult to set out changes in each line individually and to provide succinct view of the cumulative impact of all decisions across both tax and spending' demonstrates the importance of integrating equality considerations at all stages of budget process and not just for high level 'after the fact' decisions.

***iii. How transparent a process was the Scottish Government's development of its budget this year?***

*See above key considerations.*

We share SPiCE's concerns that the changes to the baseline numbers presented within the budget have led to some distortion in some portfolio lines. This has a direct impact on transparency. Disappointingly there is no mention or evidence of participative approach to determine budget decisions. This is a regression from last year when Black Professionals Scotland and Whole Family Equality Project were involved in the Budget process.

***iv. To what extent does this year's budget reflect a cross-cutting approach to equalities, reflecting consideration of issues such as rurality?***

*See above key considerations.*

***v. Are there any other issues you would like to suggest the Committee should raise about the development of this year's budget from an equalities perspective?***

*See opening introduction and key considerations.*

We ask the EHRCJC to ensure Scottish Government is considering that some third sector organisations working on equality and human rights in Scotland support member and grassroots groups and organisations. Inclusion Scotland is a membership organisation which includes 40+ Disabled People's organisations (DPOs), and as per their recent campaigning, they are concerned that DPOs – their/our collective, representative organisations, local and national – need to be funded in a sustainable way so they can continue providing voice and opportunities for disabled people to get involved. This is set out in General Comment 7 from the

United Nations Committee for the Rights of Disabled People (CRPD). At the current time, when local and national governments are under financial constraints, they are losing members and are at risk of losing more, meaning disabled people are losing their collective voice. Disabled people's organisations need support and resource from Non-Departmental Public Bodies, Local Authorities, NHS Boards and Health and Social Care Partnerships to fund and recognise them. Whilst there are delays, changes and a lack of ambition around Human Rights Incorporation and the National Care Service Bill challenges and barriers remain and are growing.

We are concerned that the Scottish Government are still not budgeting through a human rights lens, a call several stakeholders have made on numerous occasions as part of the post-budget scrutiny process.

#### **4. Closing comment.**

We would like to express a willingness to engage further with both the committee and the Minister in order that Equalities and human Rights are properly, meaningfully and effectively considered within the budgeting process. A lack of stakeholder engagement and consideration when creating the budget will be detrimental to equalities and human rights endeavours and the aim of bettering lives. It will also not allow for proper consideration of the capacity of, and pressures faced by third sector organisations so often leant on for development and implementation of government work in these areas.

**END**