



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Equalities, Human Rights and Civil Justice Committee

Tuesday 5 November 2024

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Tuesday 5 November 2024

CONTENTS

PRE-BUDGET SCRUTINY 2025-26	Col. 1
--	---------------

EQUALITIES, HUMAN RIGHTS AND CIVIL JUSTICE COMMITTEE
23rd Meeting 2024, Session 6

CONVENER

*Karen Adam (Banffshire and Buchan Coast) (SNP)

DEPUTY CONVENER

*Maggie Chapman (North East Scotland) (Green)

COMMITTEE MEMBERS

*Pam Gosal (West Scotland) (Con)

*Marie McNair (Clydebank and Milngavie) (SNP)

*Paul O’Kane (West Scotland) (Lab)

*Evelyn Tweed (Stirling) (SNP)

*Tess White (North East Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Nick Bland (Scottish Government)

Matt Elsby (Scottish Government)

Kaukab Stewart (The Minister for Equalities)

CLERK TO THE COMMITTEE

Katrina Venters

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Equalities, Human Rights and Civil Justice Committee

Tuesday 5 November 2024

[The Convener opened the meeting at 10:00]

Pre-budget Scrutiny 2025-26

The Convener (Karen Adam): Good morning, and welcome to the 23rd meeting in 2024 of the Equalities, Human Rights and Civil Justice Committee. We have received no apologies today.

Our only agenda item to be taken in public this morning is a continuation of our evidence taking for our pre-budget scrutiny 2025-26, and I refer members to papers 1 and 2. I welcome to the meeting Kaukab Stewart, Minister for Equalities, who is accompanied by Nick Bland, deputy director, mainstreaming and inclusion; and Matt Elsbey, deputy director, fiscal policy and constitution, Scottish Government. Thank you for coming along this morning.

I invite the minister to make an opening statement before we move to questions from committee members.

The Minister for Equalities (Kaukab Stewart): Thank you, convener. It is a pleasure to be back for a second time since I took over as Minister for Equalities.

I am no stranger to the committee, given my previous role as its convener, and members will be well aware that, at that time, my personal commitment was to ensure that the budget delivered for the most marginalised in Scotland. I came to my ministerial role determined to ensure that we accelerate progress to embed equality and human rights into everything that we do, and the budget process is an integral part of that.

This year, I know that you are particularly interested in transparency in the budget process. The Scottish Government is committed to embedding equality and human rights considerations into budget decision-making processes and the three principles of accountability, participation and transparency. For example, we have improved the Scottish Government's publication, "Your Scotland, Your Finances", which we publish as a citizen's budget. That online publication has been reviewed to improve accessibility and is now produced four times a year, alongside the draft Scottish budget, the final budget approved by Parliament and in-year adjustments to reflect autumn and spring budget revisions.

Through successive open government national action plans, we have worked with the Parliament, its committees and wider stakeholders to improve the understanding of our public finances, and as a result, 23 supporting documents have been published for the 2024-25 Scottish budget. The open budget survey, which was published by the Scottish Human Rights Commission in July, highlighted that Scotland has made progress on all three areas of open budgeting at a time when many countries have stalled or, indeed, slipped backwards.

We are also progressing actions to deliver the recommendations made by the equality and human rights budget advisory group. Last month, the Cabinet Secretary for Finance and Local Government and I met the group to discuss how we can achieve our shared ambitions.

As for the Scottish budget process of 2025-26, the Scottish Government continues to face the most challenging financial situation since devolution. Although the United Kingdom budget is a step in the right direction, it still leaves us facing enormous cost pressures, and we therefore must make difficult decisions to put Scotland's finances on a sustainable footing while putting money behind our priorities. Equality and human rights considerations are not separate from those priorities, but underpin them all.

The Scottish Government will ensure that the budget process complies with our legal and statutory duties, but we must—and will—go further than that. Evidence is being gathered from across Government to support the decision-making process, including through a recent ministerial workshop on equality and fairer Scotland and child rights considerations in this year's budgets that was chaired by the Cabinet Secretary for Finance and supported by me as Minister for Equalities.

Improvements that have been made this year have focused on better integration with the programme for government and the budget process itself to ensure that evidence actively shapes budget decisions when they are made. For example, the cross-ministerial workshop took place earlier in the budget process and had a clearer focus on the difficult decisions required to bring the budget into balance.

Those improvements are supported by new analytical capabilities, which build on previous feasibility studies to provide evidence on the distribution of Government spending on childcare, health, schools and transport across different households. The equality and fairer Scotland budget statement will set out major decisions that are taken as part of the budget, including the evidence to support those. That will include decisions to maintain, increase or decrease spending.

I use my role to demonstrate visible leadership, exert influence and support my ministerial colleagues to deliver effectively. Changing the culture to mainstream equality and human rights across Government is a matter of urgency as well as a moral obligation. In the coming months, I will meet one to one with my ministerial colleagues to explore what actions can be taken in each portfolio to improve equality and human rights. That will include emphasising their duties under the public sector equality duty and highlighting the excellent guidance from the Equality and Human Rights Commission.

I hope that the committee recognises the Government's commitment to continued improvement in equality and human rights budgeting and the actions that we are taking to achieve that.

The Convener: Thank you, minister. I appreciate that opening statement.

You touched on your previous role as convener of the committee and your experience in scrutinising budgets. How have you taken that into your role as a minister when it comes to mainstreaming and participation?

Kaukab Stewart: Thank you for that question. I have reflected on that issue. On balance, it is an absolute bonus that I had that previous role on the committee, because I can see more clearly the lens through which the citizen sees those things. While the Government does its work and provides its documents, we have to challenge the accessibility of those documents to the average citizen and improve their transparency.

Another reflection is that equalities covers every strand of the various portfolios, but the big fiscal levers and the big budgets do not lie within the equalities budget. The big challenge for me in my role is therefore to encourage, support and challenge my colleagues across portfolios.

Maggie Chapman (North East Scotland) (Green): Good morning, minister, and thank you for joining us. I have a couple of questions on some of the bigger-picture stuff that you highlighted when you talked about the embedding of equalities and human rights across the Government's decision-making. Last week and previously, we heard about some of the disconnect between how we understand the national outcomes and their relationships to national performance framework structures and the sustainable development goals. What work is under way to ensure that we connect those different processes, tools and frameworks? Part of that question is: do we have the data?

Kaukab Stewart: That is always a challenge, and we want to prevent siloing—I think that that is what you referred to in your question. The eternal

conundrum is to get that clarity and that connection and collaboration across portfolios. It is a challenge. There is absolutely no doubt about that.

I say right from the beginning that I have not had a direct role in the setting of the national outcomes. Those were laid in Parliament before my appointment to this role. However, obviously, I have a keen interest.

Nick Bland can come in on this one, because it was before my time—that is the only reason.

Nick Bland (Scottish Government): The cross-portfolio working is a continuing challenge. I would say that the presence of Matt Elsby and I, supporting the minister here today, is an indication of the close working that happens between my team, which supports the minister on mainstreaming, and Matt's team, which leads the Exchequer team working on the budget. That is one example of the cross-portfolio working that happens between my mainstreaming team and teams throughout the Government.

My team also worked with teams on the strategy for the programme for government. We played a similar role in bringing our expertise and knowledge in equality and human rights, and working with colleagues in other policy areas. The national outcomes have also sought to take that mainstreamed approach. The thematic gender review looked specifically at the issue of gender in the renewed national outcomes. That review was published last month, and has led to a number of specific inclusions of references to gender equality in some of the extended definitions of the NPF. It is about not having a specific outcome on gender, but mainstreaming it across all of the NPF outcomes.

Maggie Chapman: I will elaborate a little bit. We are talking about how we ensure equalities understanding across different Government departments, strategies and ways of working. However, certain data sets are not incorporated into the national outcomes, including data relating to issues such as homelessness and fuel poverty, which, when they go wrong, have fundamental human rights implications. Given the absence of data integration, what do you need in order to be able to meet those outcomes?

There is also an issue about the failure to connect the dots and the need for transparency and understanding, so that people are not making a decision relating to one area that they know will have an effect on another area but are not telling anyone about that.

I am trying to understand the minister's sense of how we are using the data sets that we have, given the structures of the national outcomes, the NPF, SDGs and all of that.

Kaukab Stewart: I will split that one between myself and Nick Bland as well. I will give you my view on it and what I am trying to achieve, and Nick will do the technical side of the data. We will do a double-hander.

As I alluded to in my opening remarks, the value that I can add is through working very closely with the Cabinet Secretary for Finance and Local Government, and through making sure that I have access to the cabinet secretaries who are making those decisions. I have arranged one-to-one bilaterals with each of the cabinet secretaries. I am starting with the Cabinet Secretary for Transport this week, in fact, so that work is now well under way.

In terms of improvements, the difference between now and what happened before is that, last year, the equalities minister simply attended those meetings. This year, my role has been enhanced; I have been given a specific role at the table and I am taking an active part. I will have one-to-one bilaterals with each cabinet secretary who makes those decisions, based on connecting the data. As the cabinet secretary put it, my role is to step back and see the wood for the trees—to make those connections and put them front and centre.

For instance, when I have my one-to-one with the Cabinet Secretary for Transport, there is no doubt that I will be able to draw on the equality impacts of budget decisions in relation to transport. They may have a knock-on effect on town planning, for instance, or schools or the availability of healthcare. In my role, I can provide those connections and therefore urge the cabinet secretaries to consider those outcomes when they are making a decision in their portfolio.

One element of my role is about seeing the knock-on effects, but I can also convene and pass information between the cabinet secretaries. With the best will in the world, Government is a big machine; everyone is in their bit trying to do the best job that they can, and they do not always have that.

That leads me to the cultural change that is required of all of us to see things not only from our own point of view, but to make those connections. I am leading on that, and I am pursuing it vigorously. I am reporting back to the cabinet secretary on how the bilaterals go, and I will make recommendations on that.

Another key bit that I am providing is support to the officials who support the cabinet secretaries. We are working within Government so that our papers and evidence gathering all align and are bringing everything together to give a clearer picture.

Nick Bland can speak about the specific data.

10:15

Nick Bland: I will pick up on the data and evidence. There is very much a cross-Government focus on equality data through the equality data improvement programme and “Scotland’s Equality Evidence Strategy 2023-2025”. I know that a review of that is being undertaken and will be published before the end of the year. That analytic team does not sit within my responsibilities, but it has been very much a driver of mainstreaming. That team works with statisticians and analysts across Government on precisely those data gaps.

The data and evidence, be it qualitative data, survey data or statistics, are drawn on in all sorts of ways, including in the measurement of the national indicators in the national performance framework and in equality impact assessments. In a sense, that data and evidence are a foundation for a lot of the work of Government. As I say, there is a specific cross-Government focus on equality data through the EDIP.

Maggie Chapman: I have a final quick question. What is your view on the ask for gender equality to be included in one of the national outcomes in order to bring us in line with the sustainable development goals—in particular, SDG 5—and international best practice?

Kaukab Stewart: I will try to answer that question, although it is quite complex, and there are many views on the issue. I listened with interest to the evidence that was given to the committee. It is a conundrum that I wrestle with, as I have a history and an interest in mainstreaming in particular. The matter is actively being considered, and one of the issues is about mainstreaming. I am also getting calls regarding disaggregation and intersectional data. At the moment, I am wrestling with the need to make sure that there is no dilution for any particular group.

One of the calls that I get is to recognise that we are not a homogeneous group, and women are not a homogeneous group, either. We should bear in mind that women make up more than 50 per cent of the population, so they are not technically a minority group, either. However, we know that budgeting has an impact on women, and there can be exponential negative impacts for those who are also disabled or in an ethnic minority, for instance.

That is where I am at the moment. I am considering all those strands and weighing up whether we need to have one thing or the other. Is there a way that we can bring it all together while not having so much data that we do not know what to do with it all? Sometimes, when we gather data on intersectionalities, it can be so small that it is not valid. It is about making sure that we have quality assurance across the piece.

Pam Gosal (West Scotland) (Con): Good morning, minister and officials. Last week, witnesses stressed the importance of collecting intersectional data. Will you please expand on how the Scottish Government uses qualitative data and data that is not collected directly by the Government to understand intersectional inequalities? For example, how does the Government use such data when it comes to inequalities related to gender and black, Asian and minority ethnic status?

Kaukab Stewart: Policy areas are expected to conduct an equality impact assessment during the policy cycle to inform their decisions. That is a clear expectation. Those assessments should draw on available evidence, as you say, to show the impact on groups with protected characteristics and the effectiveness of any mitigation measures.

It is important that we track that bit, too. We expect portfolios to develop evidence so that they can take account of the impact of the budget on groups with protected characteristics and make that connection with the scale of the impact of the proposed spend. As you say, there is a range of quantitative and qualitative evidence. That is where participation and lived experience come into it. That is especially important with marginalised groups such as the BAME community.

That can be translated into policy in a variety of ways. For example, officials are happy to receive briefings from external organisations. I meet with Engender, the Coalition for Racial Equality and Rights and many others—I will not list them all because I always miss folk out. Organisations and individuals may participate in formal consultation exercises, and published work may feature evidence reviews and support policy development. For example, the equality analysis team is currently finalising an evidence review on the experiences of non-binary people in Scotland. That action was set out in the non-binary action plan, which is to be published shortly. Similar exercises are undertaken across the protected characteristics, including the BAME community. I hope that that gives you some reassurance.

Pam Gosal: Thank you for that response, minister. We heard last week that when people are made homeless, a female may act differently from a male. Females may have relatives and friends to go to, and they may not sleep rough like a male would. That evidence came from witnesses. I want to ask about the cultural side of the issue. What if a BAME female becomes homeless? I know for certain that it would be completely different. Do you consider the cultural aspect of the issue? That is not captured in the characteristics, so how do you consider that? External agencies probably feed in on that.

Kaukab Stewart: You are right to highlight the work of the external agencies. They do a power of work to provide evidence on that to Government; it certainly comes to me. I cannot say 100 per cent that it goes to everyone else, but the copy lists are fairly wide. That is where my role as the Minister for Equalities comes in. The cabinet secretary has asked me to work collaboratively to support cabinet secretaries when they are making decisions, to ensure that they are cognisant of the exact kind of scenario that you bring up.

I said that I was meeting people in the transport portfolio this week, and I will meet the Minister for Housing. I will put those issues front and centre in our discussions, so that he can take cognisance of them when he is making his housing budget decisions. That is a progressive way of working. That is where I add value, given the background that I come from, the awareness and information that I have and the skills that I developed when I was on this committee.

You are right to say that that kind of intersectional data set could be quite small and that it might not figure in the evidence. That is where the collaborative and supportive work comes in. Remember that I am there to support, but I am also there to challenge—that is a key part of my role as Minister for Equalities—because we know that further work requires to be done. We are absolutely making progress, but evidence on culture is very difficult to capture unless a human being is presenting it. I would argue that it is the role of an equalities minister to do that.

Marie McNair (Clydebank and Milngavie) (SNP): Good morning. It is good to see you back at the committee. The committee has learned that the equality data improvement plan is progressing in a positive direction. What blockers, if any, have been experienced, and what are the emerging priorities for the next stage in the work plan?

Kaukab Stewart: Analysts across the Scottish Government and the National Records of Scotland are now progressing with the equality data improvement actions set until the end of 2025. Action leads provided an update on progress in September 2024. I can highlight to you that, of the 45 actions in the strategy, 14 are complete, 23 are on course, seven are delayed and one is not yet started. Details of progress and causes for delays are discussed with the EDIP project board on a quarterly basis. An interim review of the equality evidence strategy and EDIP will be published by the end of 2024. That will set out the challenges faced, which can be expected to cover points such as issues with collecting and analysing data, especially with regard to datasets that are too small, for instance, and delays due to indirect processes. For example, some surveys are currently being evaluated, so new data is delayed

because of that, as well as there being issues of resourcing and prioritisation, as you would expect.

Marie McNair: Thanks. Are there likely to be further delays, or do you not know that at this stage?

Kaukab Stewart: Obviously, we want to prevent delays as much as possible, but I cannot give you a definitive answer to that. Where there are suitable course corrections that do not alter the intent of the original action and lessons are learned for the second half of the equality evidence strategy, those will be highlighted. Work on that is on-going, but I am broadly content with the direction of travel.

Marie McNair: I appreciate that. Have you fed into the development of the new national outcomes? What discussions have taken place there?

Kaukab Stewart: No, I have not fed into that, because, as I said earlier, that was before my time, but I can bring Nick Bland in again if you wish further information on that.

Marie McNair: That would be good.

Nick Bland: I will expand a bit on the answer that I gave earlier. One of the original recommendations from the National Advisory Council on Women and Girls was for a gendered review of the national performance framework. As the NPF team has been going through its statutory review process, it has undertaken a gender thematic review, which has led to a number of decisions around the wording and the extended definitions within NPF outcomes. We now have a care outcome with a very explicit focus on the gendered aspects and on the economic value of unpaid care, which is something that the NACWG among others has, rightly, really pushed us on.

We also have an expansion of the equality and human rights outcome to make specific reference to the advancement of gender equality and tackling violence against women and girls. That is one specific example of a gender lens being applied to the NPF, but one of the purposes of the NPF as a whole is very much to drive this and every other Government's focus on equality and human rights, and we have that specific equality and human rights outcome to express that.

Marie McNair: Thanks.

The Convener: We move on to questions from Tess White.

Tess White (North East Scotland) (Con): Minister, you talk about visible leadership and urgency. My question is about the reinstatement of targets. Would the reinstatement of targets within the national performance framework support the

use of the framework to identify budget priorities relating to tackling inequalities?

Kaukab Stewart: Thank you for that mention of visible leadership that I am taking. You referred to the NPF. The review does not fall within my remit, but I look forward to the outcome of the inquiry and to working with colleagues and stakeholders in implementing the next iteration of the NPF, from 2025. I would be happy to follow up with the committee in writing on specific points relating to my role in the framework as Minister for Equalities.

10:30

Tess White: I am interested in the equalities and human rights fund, which has awarded millions of pounds to organisations since 2021. We are going through the budget process, which is an opportunity for you to provide some leadership. The fund provides funding to controversial organisations such as LGBT Youth Scotland, which has so far been allocated close to £900,000 of taxpayers' money. This year, BBC Children in Need withdrew funding to the organisation following reports that a convicted paedophile had contributed to one of its coming-out guides. How is the Scottish Government monitoring the funding that it allocates to equalities organisations to ensure that it is a responsible funder? What is your threshold for withdrawing funding?

Kaukab Stewart: I note that similar questions have been raised in the chamber. With regard to our funding decisions, we continue to fund LGBTIQ organisations that provide a service to a community that faces increased threats in the current climate. The quality assurance and monitoring process is done by either "Inspire" or "Aspire"—forgive me, but I always get confused; I think that it is "Inspire". That organisation scrutinises the governance and ensures that the money that the Scottish Government allocates is used for its intended purposes. There is clear guidance. I have answered questions on the matter in the chamber, but, if Tess White wishes further information, I can certainly provide it.

Tess White: It is always important to do stock checks, particularly when you are giving figures of just under a million pounds, and for the Government to provide monitoring and leadership, not just the organisation that provides monitoring. You should be asking whether you are personally satisfied that the taxpayer is getting value for money and that particular organisations—I have given an example of one that has received just under a million pounds—are doing what you, as the minister, want them to do.

Kaukab Stewart: I have noted your comments, and I can follow up on the guidance that is used by

the independent fund distributor—as I said, it is either “Inspire” or “Aspire”, but I can never remember which one it is. It uses clear monitoring and governance structures. That is all written down, and I can provide you with that evidence.

Tess White: Thank you.

Paul O’Kane (West Scotland) (Lab): Good morning to the minister and officials. I will explore the evidence that we heard last week on the equality and fairer Scotland budget statement. In particular, I am interested in the evidence that we heard from Oxfam, which suggested that decisions are made first and then a national outcome is assigned. The back-and-forth that I had with Oxfam last week was about taking an approach in which the outcome is the central pillar, with the spokes that come off that being all the other work that we know about. Do you agree that the approach at the moment seems to be a bit back to front?

Kaukab Stewart: I can see where that view comes from, and I am sympathetic to it. The value that I add is in ensuring that there is coherence and in taking a holistic view.

When the committee took evidence on the equality evidence strategy, Dr Alison Hosie from the SHRC said that the reports that we publish give a quantifiable picture of progress against the strategy. She recognised that the progress that we are making will take years to come to fruition. I agree that that could be speeded up, but we want to make sure that we get it right—that is the challenge. Dr Hosie also recognised that the commitment to regular transparent updates has been fulfilled so far and that they need to continue, and I assure you that we will continue to do that.

The NPF vision is reflected in the four key priorities that are expressed in our programme for government, which are fully aligned with the national outcomes. Those priorities are at the heart of everything that we do as an organisation. Following the conclusion of the review of the national outcomes, we will start policy work to further embed the NPF implementation plan, as recommended by the Finance and Public Administration Committee in 2022.

Responses to the Government’s consultation called for increased accountability mechanisms, including clarifying roles and responsibilities, better scrutiny, action to improve Government transparency and making progress towards outcomes. We continue to consider those issues carefully, but I remind the committee that I have not had any direct role in that so far.

The more active role that I am now taking with colleagues seeks to prevent what Mr O’Kane suggests. We need to consider equality impacts earlier, and we are making progress on that. Do

we have more to do? Absolutely. Do we have all the data? I would say that we can never have enough data, but it must be quality data that is relevant, and my colleagues must be able to use it. It must provide them with the tools and training so that they can make different decisions or, if they make the same decisions, they will have an enhanced view of the impacts, so any mitigating decisions can then be assessed more thoroughly.

Paul O’Kane: I wonder whether we can touch on the budget-setting process, because it is important and relevant to our discussions this morning and to the evidence that we heard last week. The equality and fairer Scotland statement and the “Your Scotland, Your Finances” document are useful in explaining the process, but there is a sense that things happen after the fact.

Last week, there was a sense that budgetary decisions are made and a fait accompli is sent out so that the equalities measures can be scrutinised. There was also a sense of frustration and a feeling that there must be an opportunity to scrutinise and understand decisions before they are made. Does the minister recognise that? Is she willing to take on board and act on the evidence that we have heard?

Kaukab Stewart: Absolutely. I have been watching the evidence and I am always open to it. I will bring in Matt Elsby on the equality and fairer Scotland budget statement.

Matt Elsby (Scottish Government): I am happy to come in on that. There are two particular safeguards that can be used to make sure that ministers take account of equality impacts during the budget process. The first is the role of accountable officers. Because we have the public sector equality duty, we must make sure that ministers pay due regard to the impacts of their policy choices on people who share different protected characteristics, so, when advice goes to ministers, they need to be made aware of those impacts and offered potential mitigating action. That means that ministers can still go ahead with their choice and can still take a certain decision, but there needs to be a step in the process when an accountable officer makes their minister aware of any particular issues.

We have to think about that for the budget process. We thought about it for the fiscal statement in September, and we built steps into that process to ensure that there was a particular moment when ministers took advice about such issues. However, we see that as a minimum. That is our statutory duty, and it makes sure that we obey the law and that ministers pay due regard to the issues.

In the budget process, we are looking to improve on that, because the criticism that we

heard from Oxfam is something that we have heard before. We want to build on the issues that have been raised, and we are thinking about ways to do that. One way is to ensure that, through the ministerial workshop, which the minister referred to, we create an opportunity for cabinet secretaries to say what they think the equalities challenges are in their portfolios, based on their current understanding of where the budget is sitting. That would allow the Cabinet Secretary for Finance and Local Government and the First Minister to take such issues into account so that, as we got further into the budget process, they were aware of the challenges and could take different decisions.

We are five weeks away from the budget announcement, so we do not know what the decisions will be, but this year, we have deliberately set up the process so that we can build in a moment to pause as well as a process that will allow such decisions to be taken into account earlier. I hope that that will then be reflected in the equality and fairer Scotland budget statement. The idea is for that to be a much more analytical document that will move us into a space in which we do not just set out the overall strategy for reducing inequalities but note whether specific budget decisions would have a positive or negative effect on equality outcomes.

Paul O’Kane: Given the conversation that we have just had, and reflecting on the budget in five weeks’ time, are you satisfied that the process is improving, based on your interaction with stakeholders? The pre-budget fiscal update in September was criticised as adhering poorly to the principles of human rights budgeting. It would be useful for the committee to understand the minister’s role in supporting the process that Matt Elsby just described and in the on-going work on how we increase the detail that goes to stakeholders and the explanation about the potential impact of budgetary decisions.

Kaukab Stewart: A growing wealth of information is published alongside the Scottish budget—for instance, the Scottish Government published 23 supporting documents to give further information on the 2024-25 Scottish budget. I recognise that more needs to be done, including reviewing the information that is published alongside the Scottish budget.

We are considering carefully how we can improve public participation in the Scottish budget in the longer term, while bearing it in mind that I meet stakeholders regularly. I am actively exploring the suggestion that the previous chair of EHRBAG, Professor Angela O’Hagan, made, and the alternative proposal of moving to a two-stage process, with one publication in the summer and a further publication alongside the budget. That would require a fundamental overhaul of the

current system and would therefore require careful assessment of how effective and feasible it would be. That is the longer-term picture.

Since I came into the process, and having come into my role when I did, I have been trying to change cultures, attitudes and ways of working. We will need to take time to measure the impact of that. Work and actions have started now. I expect there to be more positive evidence for next year’s round of budgeting and, in the following year of the three-year cycle, I think that we will see the biggest impact of the change in how we do things.

Paul O’Kane: I hear what you have said about the longer-term work but, for the coming budget, do you expect to have seen improvements in how stakeholders feel about engagement? When you come back to the committee, will we be having a similar conversation? Will we have seen a marked improvement?

Kaukab Stewart: I hope so—I think that we are making progress in lots of areas. My role is to look at the bits where we are getting stuck. That is about providing the tools and the support. I know that my officials, who are experts in that area, are ready and waiting to support not only ministers and cabinet secretaries but their supporting officials, because the documents that they produce and the evidence that they gather will be expected to have equalities embedded in them right from the beginning, so that equalities are not dealt with in a report back to me as a bolt-on feature.

When I was a member of this committee, I always said that equalities should not be bolted on to a process at a later stage but should be part of the process right at the beginning. I am optimistic about that, and Mr O’Kane will know that I will be thorough in pursuing evidence of that and holding my colleagues to their responsibilities with regard to that challenge. I assure him that they are absolutely up for that.

10:45

Pam Gosal: Minister, how was the decision made to analyse data on the basis of gender as opposed to sex? Will you outline how the terms “sex” and “gender” should be defined when making policy and budgetary decisions?

Kaukab Stewart: Nick Bland can address that specific point.

Nick Bland: I am aware that the previous Scottish Government chief statistician undertook a very careful review of precisely that issue and issued advice that is guiding how existing data sets and surveys approach it. It was an area of contention, as you will understand. The decision that was taken was very much driven by the

analytic requirements of the data and by our ability to disaggregate between different protected characteristics.

The Convener: Thank you. That concludes our formal business in public. [*Interruption.*] I apologise—I have an indication that Tess White would like to come in.

Tess White: Thank you, convener. I would like to ask two supplementary questions that concern issues that came up in our previous meeting.

Last week, two stakeholders gave us feedback on the pre-budget fiscal update. Sara Cowan from the Scottish Women's Budget Group noted that we have seen emergency in-year budget changes for the past three years and said that that looks as if it is not now an exception and has instead become the norm. In relation to the budget process, Dr Alison Hosie said:

"There are lots of questions. It was not a very satisfactory process, and it was not transparent."—[*Official Report, Equalities, Human Rights and Civil Justice Committee, 29 October 2024; c 40.*]

You have said that it is important for you to understand and scrutinise and that you want to look at areas that are stuck. This is one area that is stuck. How will you change the culture to ensure that such ad hoc in-year budget changes are not the norm?

Kaukab Stewart: Thank you for that question. Obviously, our approach to impact assessments is guided by the need to meet our statutory duties while ensuring that our approach is proportionate. I note that a full analysis will continue to be provided annually as part of the Scottish budget process. We remain committed to protecting the most vulnerable in society and we have sought to minimise the impact on people as much as possible through identifying underspends and pausing or slowing activity.

In the interests of transparency, on 3 October, less than a month after the pre-budget fiscal statement, the Scottish Government published the details of the equality and fairer Scotland impact assessments that were provided by portfolios. We aim to publish those assessments as quickly as possible following policy decisions. For example, we will often provide impact assessments alongside regulations when they are laid and when legislation is amended.

Tess White: Thank you for that. Two key stakeholders have given feedback—I will leave that with you.

My final question is on rural proofing, which was explored last week. The definition of that was new to me, but it resonated with me. Dr Hosie raised it when she talked about the geographical and gender inequalities that are occurring through the

centralisation of healthcare services, which has a huge impact. If you are to provide leadership, you should look at the healthcare portfolio. Dr Hosie said:

"rural proofing ... does not do a satisfactory job when policy starts from a central belt perspective and then the rural aspect is considered, as opposed to thinking about that from the start."—[*Official Report, Equalities, Human Rights and Civil Justice Committee, 29 October 2024; c 41.*]

We have seen that with the belated rural workforce strategy in the national health service. Will you look at that, minister?

We have had huge feedback on the drive to centralisation. Two examples that were given last week of the impact of that were that women are having to travel huge distances—such as from Forfar to Dundee—to access long-lasting contraception and that abortion rates have increased, as an unintended consequence of certain services being centralised. How will the Scottish Government—how will you—ensure that rural proofing is considered at the start of the budgeting and policy-making process and not at its end, as things are now?

Kaukab Stewart: Thank you for giving me the opportunity to reinforce the message that I gave at the beginning of my contributions. You have highlighted health in particular. As equalities minister, I cannot be expected to deal with such in-depth detail on each portfolio. I would be expected, as you said, to highlight the equality impacts that can happen and to draw them out by working with my cabinet secretary and portfolio leads in those areas, so that they are cognisant of the issues. I would do that on rurality as I would in relation to disabled people and all the different issues.

During the summer, I had the chance to visit different locations. One issue that was raised was that it costs much more money to build houses in certain areas. Transporting materials, for instance, is easier in the central belt.

The approach is about looking at budget decisions and making sure of accessibility and availability. My job is to support my colleagues so that they see decisions through that lens, and I assure you that I will do my absolute best on that.

Tess White: You said that you can assure me, and you said that it is difficult to measure culture. However, many believe that culture eats strategy and planning for breakfast. If the culture centralises certain services—I gave a small example, but it is huge for a lot of women—you can provide leadership and support change if you say that we need to measure certain outcomes, which come from different committees. You could go into this budget round and say, "We hear from

the health committee that this direction of travel has a massively negative impact on ethnic minorities and women. We want to show measurable improvement on those things.” Will you do that and start to make a human rights and equalities approach to budgeting impact on the lives of people in Scotland?

Kaukab Stewart: I take extremely seriously my role in mainstreaming equality across all portfolios. The member will be aware of that. Ultimately, I suppose that I should do myself out of a job because, in every portfolio, every minister who makes budget decisions should have the confidence, the tools, the data and everything that they need—*[Interruption.]*

All countries around the world are grappling with that challenge. I am satisfied that we are making progress and I assure the member and the committee that, in my role, I will continue to provide the service, support and leadership that the true embedding of mainstreaming requires.

The Convener: As no member has any further questions, we draw our public session to a close. I thank the minister and her officials for attending. We move into private session to discuss the final agenda items.

10:55

Meeting continued in private until 12:12.

This is a draft *Official Report* and is subject to correction between publication and archiving, which will take place no later than 35 working days after the date of the meeting. The most up-to-date version is available here:
www.parliament.scot/officialreport

Members and other meeting participants who wish to suggest corrections to their contributions should contact the Official Report.

Official Report
Room T2.20
Scottish Parliament
Edinburgh
EH99 1SP

Email: official.report@parliament.scot
Telephone: 0131 348 5447

The deadline for corrections to this edition is:

Tuesday 3 December 2024

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba