

Draft Budget Scrutiny 2020-21 Call for Views

Scottish Parliament

Equalities and Human Rights Committee (EHRIC)

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Written evidence submitted by Fife Centre for Equalities

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[Fife Centre for Equalities](#) (FCE) welcomes this opportunity to share views to the Scottish Parliament's Equalities and Human Rights Committee (EHRiC) on the delivery of national equalities and human rights priorities as part of the scrutiny of the Scottish Government's Budget for 2020-21.

1. That are the key public policy areas where individuals and protected groups are struggling to access their right

In our view there are two main types of access to rights protected groups struggle with.

- a. Firstly, the barriers in exercising rights already enshrined in law (Human Rights Act 1998; Equality Act 2010) across all the range of settings and contexts those apply in. While the abolition of Employment Tribunal fees was without doubt increased access to rights, but there is still little support for individual EHR casework, which may in turn lead to court cases, or settlement outside of court.
- b. Secondly, the variability in policy and practice of the several public policy frameworks which aim to promote rights, several of which have ambitious and far-reaching implications and would make marked improvements for groups of people with equality needs. (For instance, those include ([A Fairer Scotland for Disabled People: employment action plan](#), [Fair Work Framework](#), [Fairer Scotland Action Plan](#), [Fair Work Action Plan](#), [Gender Pay Gap Action Plan](#), [Race Equality Action Plan](#), [Race Equality Framework](#), [Removing Barriers: Race, Ethnicity and Employment](#), [Tackling prejudice and building connected communities](#))

Where individuals and protected groups regularly struggle to access their rights is at the point of contact with public bodies involved, as the act of exercising rights tends to be dealt with as problematic or leading to/arising from conflict, and not as routine.

In those instances, third sector/community organisations are often required to take up a coordinating / person-centred key working role to advocate for individual's rights across a range of public bodies or authorities, who by themselves ought to coordinate under the equality duty.

An example of this would be access to the right to translation services when accessing service, which is in principle in place for services such as HMRC, DWP, NHS/GP practices.

- Accessing those services would still require an English speaker to be present to request for language support if it is available. This is considered an 'additional' request for which, if it is available, applies only to the specific service or public body contacted.
- Within this arrangement, there is little scope for the purveyed translation provider(s) to liaise with other service providers that might also have a range of duties towards the individuals (both statutory, and those implied by the policies mentioned above) and provide a degree of continuity for the individual who are in the adverse situation of trying to exercise rights.
- In our experience, coordination between services in those situations is limited and perceived as an inconvenience rather than an opportunity to set a

precedent for or improve access to rights by disadvantaged groups.

2. Which groups of people are most likely to be affected and why?

In terms of accessing redress, we notice the following groups of people (not in order of priority or need) as most routinely affected:

- a. People with learning disabilities and people with mental health conditions, who may not have the capacity or the resilience or capacity to argue for their rights when they are impinged.
- b. People with limited means or capacity for communications; this includes not only issues arising from language barriers (e.g. BSL, hard of hearing groups) but also from not knowing how best to exercise their rights (e.g. appeals to PIP, Universal Credit sanctions etc)
- c. People from minority ethnic / BAME groups, who are affected by communication barriers, but who also have great variation in know-how and propensity to making use of public services in principle available to them
- d. Individuals living in poverty ('Hard-up Communities') and who, as a result, are dealing with crisis situations daily. This group of people are most affected due to limited time and capacity to exercise their rights, unless if doing so also improves their immediate crisis situations.

3. What type of public sector funding (European, national or local) is provided to your organisation to support vulnerable groups and those with protected characteristics to access public services?

- a. Fife Centre for Equalities is funded entirely through local authority public sector funding for communities.
- b. As a local organisation, we offer advice and guidance to individuals and groups, our funding however does not include funding for casework to cover for the whole range of equality and human right issues faced by local residents. Our funding and service level agreement also covers delivering training to public service providers, and private/third sector organisations in order to improve their service delivery to vulnerable groups and people with protected characteristics.

4. Is the level of public sector funding provided enough to deliver national priorities and better outcomes for people and communities, please provide evidence?

- a. N/A – outwith our local remit

5. Are there public funding challenges for the third sector; if so what would be the implications for delivering equalities and human rights outcomes?

- a. We note that, where local community groups exist that are of assistance to groups facing the issues highlighted above, they are often in their early stage of development and not able to compete for more complex funding sources to sustain their work.
- b. In tandem, capacity building through TSIs tends to be limited to organisations that already have acquired some degree of corporate governance and

capability. In essence, the access to funds depends heavily on good written communication skills. Organisations such as Fife Deaf Club, Fife Chinese Older People Association or Arabic Society have expressed their frustration with the level written English bureaucracy required to access small grants.

- c. The Scottish Government appears to rely predominantly on national bodies for the delivery of equalities and human rights outcomes. This leads to the absorption of a large proportion public funding budgets by central belt organisations and restricting delivery at the local and grassroots level.

6. What type of administrative systems are in place to monitor the impact on equalities and human rights outcomes from public sector funding to the third sector?

- a. Current administrative systems (national + local) do not systematically monitor equality evidence by protected characteristics, which makes it particularly challenging for an equality and human rights third sector organisation to quantify the extent to which mainstream public bodies deliver services to minority groups. This is an issue that is recognised ([Scotland's equality evidence strategy 2017-2021](#)).
- b. To a certain extent, the National Performance Framework / SDGs, in tandem with the EHRC Equality Measurement Framework and the review by Equality Budget Advisory Group ([EBAG](#)) can provide proxy systems to monitor impact.

7. What changes could be made to improve accountability for national priorities being delivered by the public sector in partnership with the third sector?

- a. As above, our position is that the most effective tool for delivering and monitoring accountability at national and local level is through systematic implementation equality evidence across **all** services.

About Fife Centre for Equalities.

[Fife Centre for Equalities](#) (FCE) was established in April 2014, funded by Fife Council, to work with partners to develop more inclusive and responsive services for people in Fife, and to build a positive picture of Fife's modern and diverse population.

FCE became an independent body on 1 July 2016 and continues to work in partnership to develop a more harmonised approach in engaging different equality groups as well as supporting partners to improve their performances in meeting their duties under the Equality Act 2010. FCE is a charity (SC 046683) and a company limited by guarantee (SC 536028) registered in Scotland.

Find out more about FCE at: centreforequalities.org.uk