

## **Scottish Women's Budget Group Scottish Budget and Spending Review 2007**

The following commentary is a collective response from members of the Scottish Women's Budget Group to the Scottish Government's Scottish Budget Spending Review 2007 (SBSR07), published on 14 November 2007.

There were no specific opportunities offered for public consultation or response to the Scottish Budget Spending Review 2007. SWBG has consistently commented on draft budgets and so we are continuing that practice on this occasion. Our comments are intended to be informative and constructive in taking forward the shared objective to promote equality.

### **Introduction**

The Scottish Women's Budget Group (SWBG) brings together women from academia, local communities, statutory and voluntary sectors and trade unions. We form a non-party political group dedicated to the promotion of gender equality in the Scottish budgetary process.

### **SWBG's key objectives are:**

- To encourage and advise the Scottish Parliament and the Scottish Government to conduct and incorporate a gendered analysis of the outcomes of all public spending
- To advise the Scottish Parliament and the Scottish Government on the connections between policy objectives and spending plans
- To monitor public spending in Scotland and to review how that spending may affect women and men differently
- To highlight where policy and spending plans may have a negative impact on women

SWBG has responded to successive Spending Reviews and Budgets, and has consistently promoted the importance of effective gender analysis in policy making. The national budget is not just about allocating money and outlining expenditure. It is about assigning resources to meet the social and economic priorities of a government, negotiated through Spending Reviews and the Comprehensive Spending Reviews. Gender Budget Analysis (GBA) is a tool for making the connections between policy priorities and the allocation of resources and for identifying how expenditure benefits women and men.

The group believes that analysing how Government Spending Plans affect women and men – gender analysis – can influence those plans and improve policy making as a result. Account must be taken of the different social and economic realities of the lives of women and men, girls and boys. SWBG aims to encourage the Scottish Parliament and the Scottish Government to practice this approach in the way decisions are made about how money is spent.

Gender Budget Analysis links public policy objectives with resource allocation. Its purpose is to analyse the Budget by tracking how the outcomes of decisions on policy priorities and resource allocation may affect women and men differently. GBA can help to expose unintended potential or actual discrimination in public policy objectives and programmes.

Gender budget analysis does not offer budget appraisal within a cost-benefit analytical framework that would consider the differentials of spend between women and men or other equalities groups. GBA looks at the relationship between spending against stated policy objectives and the extent to which they promote or inhibit progress towards gender equality. Cost benefit analysis as a mechanism for assessing the viability of any given policy option does not explicitly acknowledge or account for gender differentiated policy impact/outcomes. On the other hand, a gender sensitive approach to the analysis of government spending plans aims to make budgetary *processes* gender-aware, as opposed to gender-blind. GBA ensures that gender differences are fully accounted for within the resource allocation process to ensure that resources are allocated fairly and efficiently to men and women and girls and boys and that policy impacts positively on *both* genders.

The Scottish Women's Budget Group has retained a consistent focus on the budget and decision-making process and the ultimate presentation of the budget documentation with a view to ensuring that effective gender analysis is both integrated into the process and transparent in the presentation of the Budget.

## **Scottish Budget and Spending Review 2007**

The following reflects the SWBG response to key issues raised by the SNP Government's SBSR07. Our concerns are set out in two parts: Section One deals with issues of context and definition, and Section Two has a focus on specific proposals within the strategic objectives and outcomes, and the portfolio areas as set out in the Spending Plans and Draft Budget respectively. Section Three is a summary of recommendations and questions arising from our analysis of the SBSR07.

### **Section One**

An overarching concern for SWBG is the apparent loss of progress and momentum on gender-budget analysis that this Budget and Spending Review represents. SWBG have worked positively with previous administrations with current parliamentarians and Ministers to develop and progress the quality of analysis and presentation of equalities in the budget documentation. SWBG were of the view that progress, albeit faltering, had been made over the years. It appears from this document that previous progress on equalities statements has been lost, and that the recommendations in legacy papers and meetings from previous committees – of which current Ministers were key members – have not been followed, to the detriment of the quality of analysis and the content of proposals in the SBSR07.

SWBG recognise the multiple references to equality in the SBSR07. The comments in this response are intended to signal where stated commitment to equality could be given greater meaning and practical effect. SWBG would welcome opportunities to offer greater detail on this commentary.

## **1. Definition and Framing of Equality**

Overall, SWBG welcome the recognition that achieving equality and redressing inequality is central to effective government, economic growth and social justice. However, we have significant concerns about the approach to equality as expressed in the budget.

While there are welcome commitments to ensuring that the “principles of equality underpin” the proposed investment, we would encourage greater clarity and specific measures to give meaning to the commitment to “ensure that investment and policies promote equality and do not discriminate or perpetuate discrimination and disadvantage”, (p.4) In order to give practical effect to this aspiration, there has to be a sustained and consistent approach to gender-based analysis of proposed programme activity and spend. That analysis is not in evidence in these proposals.

The absence of specific equality targets or indicators across Portfolios, serves to weaken the stated underpinning principle of (or commitment to) equality as it becomes impossible to assess the ‘direction of travel’ and monitor progress. Moving to an outcomes-focused approach at first sight suggests opportunity to build-in clear equality outcomes to be delivered by programmed spend. There are no suggested equality outcomes, targets or indicators specified in the National Performance Framework or in the more detailed spending plans.

### *Equality and Inequality*

There appears to be a number of inconsistencies and uncertainties in the approach to and understanding of equality present in the Spending Review. Early on there is a recognition of the need to promote equality and address discrimination on legal, economic and social justice grounds. That approach then appears to give way to a dominant framing of equality in terms of “inequalities”, specifically income/economic inequality and geographic or regional disparity.

SWBG have argued consistently that the conflation of an anti-poverty agenda, focused on relative income disparities and health inequalities fails to recognise the structural causes of inequality specifically between women and men. As it stands, the approach to equality set out in the Draft Budget fails to integrate that analysis and demonstrate understanding that inequality is not straightforwardly expressed in terms of relative economic position or state of health (c.f.pp24, 26, 56) as both are significantly gendered realities.

SWBG would welcome further evidence of gender analysis in the measures proposed to address income and economic inequalities. As women are

disproportionately represented among those living on low incomes, the policy proposals in SBSR07 should signal potential improvements in this area. However, the absence of specific analysis, indicators or targets suggests that this analysis has not been integrated, and without such specifics, it will not be possible to track progress or measure the impact on distinct groups.

Relative inequalities between geographic communities, while a characteristic of Scotland's towns and cities, are not consequences of discrimination on the grounds of sex which leads to exclusion from or lack of progress within the labour market, for example. Addressing inequality, as framed by the Government, is not the same as a positive, proactive policy and resource allocation to promote greater equality.

Similarly a reduced definition of "equality of opportunity" to 'various communities and faith groups' (p.16) is an unhelpful narrowing both of the concept of equality and the powers of the Scottish Government to build the substantive equality of the lives of the people in Scotland, and of the legal rights and recourse available to all people on grounds of sex, race, disability, age and sexual orientation as well as the newer 'strands' of faith and religious belief.

### *Equality and Equity*

When read in conjunction with the Scottish Government's Economic Growth Strategy, there appears to be a further attempt to distance this government's commitment to equality from its core purpose of sustainable economic growth, as though they were incompatible. In adopting a focus on "equity" in the Economic Growth Strategy, rather than retaining a strong visible commitment to equality, there appears to be a crisis of conviction in the government's commitment to mainstreaming equality. By framing "equity" in this way, there is an implication that the Scottish Government fails to recognise that the pursuit of equality, by removing barriers to participation in the labour market or to being full and active recipients of public services or economic opportunities, is consistent with economic development.

### *Equality and Efficiency*

There is considerable emphasis in this Spending Review on the need for and pursuit of efficiency gains. SWBG have consistently argued that effective gender-based analysis, and specifically gender budget analysis, makes for more effective and more efficient public policy. SWBG argues that if public services fail to be targeted at need (and that need is understood in terms of differential experiences of groups of women and men), then those services and the associated spend is inefficient. It is inefficient by ignoring, being unaware of, or failing to meet needs, or to level up the experience of groups and individuals facing discrimination, barriers to participation, and access to services and opportunities.

In following through the proposed cash-releasing efficiencies each year, it is imperative that the Scottish Government commits to and integrates effective gender analysis of the impact of these cost savings on the users and

beneficiaries of public services and the workers delivering the services either in the public or voluntary sectors.

## **2. Public duties to promote equality**

While we recognise the Government's commitment to meet the public duties on equality, greater detail and evidence of how this legal obligation is to be given practical effect would be welcome.

In particular SWBG would welcome greater detail on how the requirements of the Gender Equality Duty are to be integrated into the proposed performance measurement framework. SWBG are concerned that with the overlaying of a new series of indicators and performance measures that have no explicit equality content, then the requirements to promote and report on progress on equality will be rendered more invisible. The National Performance Framework and the proposed Single Outcome Agreements with local authorities are by their nature high-level statements of outcomes. SWBG are concerned that the detail on measures to promote equality and monitor their progress could be lost in this process. SWBG would encourage the Scottish Government to ensure that the requirements of the public duties, specifically the Gender Equality Duty, are built into these performance management processes, and that Equality Schemes, and Equality Impact Assessments – that include effective budget analysis – are contained as a core element of proposed performance and audit processes.

There is a need for a strong steer from the Scottish Government, taking seriously its leadership role to promote equality. That includes leading by example. SWBG are disappointed to note that the proposals in the Scottish Budget Spending Review 2007 do not appear to have been subject to the required Equality Impact Assessment process. **SWBG would welcome further explanation on why this has failed to happen.**

The Gender Equality Duty (GED) came into effect on 6 April 2007, heralding the most significant change to sex equality legislation in the past thirty years. The Equality Act 2006 states that there will be both a general gender duty and a specific gender duty imposed on public authorities in Scotland.

The GED was introduced in recognition of the need for a more radical approach to equality – one which places responsibility with service providers to think strategically about how they challenge existing poor practices and promote gender equality, thus shifting the responsibility from individuals to challenge poor practice. The GED requires public authorities to build gender equality into core business thinking and processes i.e. to be proactive in their approach and make the commitment to gender mainstreaming.

The GED aims to create –

- Better informed decision making and policy development
- A clearer understanding of the needs of service users
- Better quality services meeting a range of needs
- More effective targeting of policy and resources

In this context there are specific issues arising from the Scottish Budget and Spending Review 2007:

- As part of the Scottish Government's obligations under the GED, Scottish Ministers must identify high-level priority areas to advance equality of opportunity between men and women in Scotland and provide a summary of progress in those priority areas. Without specific targets underpinned by public commitment to gender equality in the budget, the Government will find it hard to deliver on this obligation.
- The Scottish Government's Gender Equality Scheme identifies a number of high-level objectives, evidenced through data and consultation. The first two priority areas are the gender pay gap and violence against women: SWBG consider that both the National Performance Framework and the outcomes and indicators framing the local authority outcome agreements need to include specific reference to delivering progress on gender equality in these two areas.
- SWBG would also wish to highlight the apparent lack of cross-referencing between these two Government statements, and the Spending Review does not appear to reflect the priorities of the Gender Equality Scheme.
- This budget has been described as the 'tightest financial settlement since Devolution'. However, it will not be acceptable for any public authority to claim that it does not have the resources to meet their obligations under the GED. This may mean authorities have to undertake a reallocation and reprioritisation of resources.
- In an 'outcomes focussed' approach to performance, as set out in the National Performance Framework, results need to be made visible.

**SWBG believe that there is a specific opportunity to ensure that the Equality Schemes produced by public authorities are also brought within the National Performance Framework to ensure that equalities analysis and measurements of progress are included.**

### **3. Gender Mainstreaming**

Adherence to the practice and process of gender mainstreaming to which this government has made renewed commitments is not in evidence in the analysis and presentation of policy and funding statements in this Draft Budget. As a result equality – either specifically gender or equalities issues more widely – is central neither to the policy thinking nor to the policy delivered in the form of budget decisions. Budget decisions designed in the absence of gender mainstreaming and produced without substantive equality impact assessment are by definition unable to deliver policy that reflects the Government's commitment that "the principles of equality underpin the investment outlined...and our work across all Strategic Objectives",p.5.

SWBG welcome that stated commitment but would wish to see greater evidence of what it means in practice and that such analysis is made transparent in the budget-setting/decision-making process.

#### *Equality Budget*

The specific “Equality Budget” highlighted in Chapter 21, is potentially a positive development, specifically in so far as it appears to support a mainstreaming approach with its emphasis on “levers activity on other policy areas across government” (p.107). This approach is essential if actions to promote equality are to be fully integrated into portfolio programmes and spend. However, the absence of specific equality actions in the portfolio programmes and spending lines undermines this commitment. SWBG would wish to see clear linkages between the commitment to promote equality, resource activities to support that commitment, and targeted, measurable actions to delivery on equality.

As already stated, the conflation of equality and social inclusion reinforces the perception of equality as being about income inequality, and economic or geographic disadvantage. Actions to promote social inclusion to be effective must have integrated the same range of equalities analysis as other policy programmes.

**SWBG would welcome more detail on the value and focus of the new fund to be made available to Community Planning Partnerships**, and the extent to which activities to be delivered through these channels will have clear gender and wider equality targets with reference to skills building, community engagement and participation, and regeneration. Explicit requirements and related targets to promote equality, address discrimination and provide equality impact assessments are especially important for partnerships whose statutory obligations under the equality duties may be less than clear.

#### **4. Financial Constraints**

This Budget is dominated by the context of tightening public finance, as argued by the SNP Scottish Government in the context of CSR allocations from Westminster, and by the Scottish Government’s emphasis on constraining expenditure on public services alongside a reduction in public finance revenue streams, specifically the agreed freeze on local authority council tax.

The implications for constrained public service finances are significant in terms of services generally, and specifically to support women or men - or other groups. Women or men only services represent small areas of programme funding, and therefore tend to cling at the margins of public spend, leaving them vulnerable to a ‘squeeze’ on public sector finance. Larger spending areas, for example in community care, skills development, or transport, are invariably not gender-neutral spending programmes. A lack of

effective gender analysis of services usage and requirement will lead to a failure to recognise the differentials for women and men, and so reductions in funding could lead to increases in the misalignment of funds, or failure to address effectively the needs of women and men.

The Spending Review sets out a considerable investment in the voluntary sector in Scotland, seeking to support an 'innovative third sector'. SWBG welcome this recognition of the key role the voluntary sector play in supporting communities and in delivering services. Specifically, SWBG would highlight the intention to fund increased skill capacity of workers and volunteers, and interpret that to signal an expectation that their terms and conditions or quality of employment will not be diluted as services are shifted from delivery within the public sector to the "third sector". Furthermore, in signalling a shift from public services delivered from public sector organisations, SWBG are concerned that there should not be a dilution of the quality of services and that beneficiaries, many of whom are among the most vulnerable or disadvantaged in our communities, should not suffer as a consequence.

SWBG are very concerned that a tighter public spending environment at this time will have significant and negative consequences specifically for thousands of women workers, representing some 75% of workers across the public sector. The Scottish Government is well aware both of the long-standing injustices against women workers in terms of low and unequal pay and of the disputed remedies to ensure women are rightfully recompensed and that their rights going forward are not further impugned.

The Draft Budget for 2008-09 makes no reference to Scottish local authority or other public authority spending lines to meet their equal pay obligations or the implications of a freeze on council tax. **SWBG would welcome a specific response from the appropriate Ministers on these concerns.**

The Scottish Government states in SBSR07 that it is concerned to address income inequalities. SWBG have highlighted a group particularly affected in this way – women workers in the public sector. A reduction in resources available to the public sector to address unequal and low pay will undermine that stated commitment.

## **5 Efficient Government Programme**

In setting out the Scottish Government's plans for a new 'Efficient Government Programme', with the commitment to 2% cash-releasing efficiencies, the Spending Review proposes £1.6billion to be 're-targeted'. This Spending Review which will form the basis of the Budget Bill, and is currently the subject of scrutiny by Scottish Parliament Committees, does not offer any detail on that proposed 're-targeting' as the details will not be made public until March 2008. This raises a number of questions on the transparency and democracy of this budget process. SWBG would welcome further explanation on the following, among other questions:

- How are these plans for re-deploying resources being formulated?
- What public consultation is there to be, given the public and parliamentary process of the Budget Bill will be complete by that time.
- What is the process for ensuring effective gender and equality analysis and impact assessment in formulating these proposals?
- Will the Equality Impact Assessments that these future proposals should be subject to be made public?

## Section Two: Portfolio Spending Plans and Draft Budget

SWBG is concerned at the level of analysis and content on equalities. Specifically, that there are no national targets or indicators on equality – just a very general national outcome ‘to tackle significant inequalities’ is listed, and there is no reference to the substantial catalogue of documentation on labour market barriers and economic activity rates disaggregated by gender, race, disability issues. The following comments apply to the sections on both the Government’s Strategic Objectives and the sections on Portfolio Plans.

The re-organising of the Scottish Government across five Strategic Objectives offers positive potential to ensure that equalities analysis and considerations are integrated into all policy areas. This possible strengthening of an equalities mainstreaming could yield significant results in terms of effective policy-making and resource allocation, but that requires sustained, high-level commitment from both the political and administrative directions. This is recognised as a key part of the delivery of outcomes to tackle inequalities, as “government actions to tackle inequalities must reinforce and complement each other across a number of areas of responsibility”, (p.28). **SWBG would welcome greater clarity on how the proposed Equality Budget would be utilised to best effect to ensure that the appropriate underpinning support for practice development happens and is made available across Directorates.**

In setting out the “Purpose of Government”, the government states that the approach outlined in the budget document represents “an alignment of public policy and resources”. SWBG argues that Gender Budget Analysis is a key tool in achieving that stated aim, and encourages the Scottish Government to commit to ensuring this is a central feature of policy making and decision making on resources.

### 1. Strategic Priorities and Outcomes

Strategic Priorities and Outcomes	SWBG Response
<i>Outcome: We are better educated, more skilled and more successful, renowned for our research and innovation</i>	<p>Gender is not explicitly acknowledged as a factor in achieving this outcome: ignoring gender will significantly reduce the likelihood of it being achieved.</p> <p>Relatively large numbers of women scientists and technologists are missing from these fields, with</p>

	<p>women's progression from undergraduate qualification through postgraduate study to employment being characterised as a 'leaky pipeline' as women detach at each stage.</p> <p>Clarity around the resourcing of gender focused actions agreed by the current administration is also lacking from this outcome. The Scottish Government response to the Review of Scotland's Colleges, <i>Promoting Excellence</i>, indicates that the Scottish Funding Council, the Association of Scotland's Colleges and the Scottish Trades Union Congress are tasked with developing a sectoral approach on equal pay. It is not clear whether resources will be allocated specifically to address gender pay gaps that individual colleges identify, in order to avoid some of the poor outcomes for women workers that have been occasioned by the relatively low-cost implementation of Single Status agreements in local government.</p> <p>SWBG welcome the recognition of particular financial hardship for part-time students, many of whom are women and/or single parents, 90% of whom are women.</p>
<p><b><i>Outcome: We realise our full economic potential with more and better employment opportunities for our people.</i></b></p>	<p>The lack of recognition of and reference to gender in any substantial way in this outcome is particularly disappointing. There is a considerable evidence base that clearly describes the structural barriers to women's participation in the labour market and the causes underpinning the gender pay gap. In detailing how "better employment opportunities" are to be realised the issues of gendered vertical and horizontal occupational segregation, a lack of genuine workplace flexibility, and embedded discrimination within organisations appear not have been considered.</p> <p>In the Spending Review, there is welcome recognition of the barriers to full participation that women and other groups face. Also, the recently published Skills Strategy for Scotland promises to have, "...the promotion of equality of opportunity and the elimination of discrimination at its core." However, the only programme of expenditure specifically identified with regard to this outcome that may be cross referenced with the Skills Strategy pledge on equality is Workforce Plus. This approach has not been developed with the intention of addressing the specifically gendered causes of women's differing patterns of participation in the formal labour market or in the acquisition of skills. For example, the Modern Apprenticeship (MA) programme is a key publicly funded training programme in Scotland designed to achieve two interlinked objectives – to build skills thus growing the economy while supporting a wider social inclusion agenda. However, research on the MA programme in Scotland (<i>ref. Occupational Segregation in Scotland: Jobs for the Girls and the boys' Equal Opportunities Commission Scotland, 2005</i>) has shown patterns of participation in the programme to be significantly differentiated by gender – with men dominating 'traditional' frameworks</p>

	<p>such as construction and engineering and women being concentrated into the 'non-traditional' apprenticeship areas such as caring and service sector industries. Worryingly, there appears to be a sharp decline in the numbers of women participating in the MA programme in Scotland between 2005 and 2007.</p> <p>The economic strategy recognises the need to increase skills to match better supply and demand and to reduce the barriers to learning, skills development and realising potential. The Modern Apprenticeships scheme is the flagship training programme in Scottish Enterprise and it has considerable unfulfilled potential not only to contribute to addressing skills shortages, but to addressing the occupational segregation of women and men that has a negative impact on productivity growth.</p> <p>SWBG would wish to see a gender impact analysis of spending across the Scottish MA programme to ensure equality of opportunity for skills acquisition – and ultimately labour market participation – between women and men.</p> <p>SWBG is disappointed that the spending plans for the MA scheme are not detailed in the budget documents and that no indication is given of how progress will be made to address the contribution of training to women's disadvantaged position in the Scottish labour market</p> <p>SWBG welcome the aspiration to create higher-quality, better-paid jobs (p.8), and challenge the low-wage/low-skill labour market that characterises many of Scotland's economic sectors. Policies and programmes to achieve this, such as the MA programme, have consistently been vulnerable to a lack of understanding and analysis of the gendered nature of skills and labour market development. In future the success of publicly funded training programmes must include ensuring effective gender analysis.</p> <p>Constraining women in low paid and low-skilled jobs fails to utilise their talents and abilities, and is therefore counter to the stated aims of economic growth, and the Nordic models that the Scottish Government would seek to emulate.</p>
<p><b><i>Outcome: We live in well-designed, sustainable places where we are able to access the amenities and services we need</i></b></p>	<p>SWBG are disappointed at the lack of reference to gender or the recognition of the gendered nature of access to public services, including transport. SWBG would refer the Scottish Government to a range of evidence on these issues, including work by previous administrations on women and transport.</p>
<p><b><i>Outcome: We have tackled the significant inequalities in Scottish society.</i></b></p>	<p>SWBG would highlight again the clearly gendered nature and experience of poverty, with many more women experiencing poverty than men. Yet there is no reference to gender in this section. Although participation in the formal labour market should not be the sole route out of poverty identified it is critical that poor women who are supported to work have assistance to address the specifically gendered barriers</p>

	that face them.
<p><b><i>Outcome: Our public services are high quality, continually improving, efficient and responsive to local people's needs.</i></b></p>	<p>SWBG welcome the recognition that public services must be responsive to need. Different experiences of women and men as users of public services are key to ensuring that public services are appropriately designed and delivered. Gender is not mentioned within this outcome, although the gender equality duty is mentioned within a general reference to the "public duties on equality". This reference is appropriate: the gender equality duty requires all public authorities to promote gender equality and eliminate discrimination and harassment with regard to their service delivery and in their role as employers. Larger, listed public authorities must develop and implement gender equality schemes to address significant gaps in service provision or employment practice.</p> <p>In focusing on efficiency savings and "streamlined" services the spending review risks negatively impacting on women. A large proportion of public sector employees are women whose work has been chronically and systematically undervalued. Disproportionate public sector pay restraint will adversely impact on the poorest public sector workers, who are predominantly female. An over-emphasis on "streamlining" without gender-awareness may also result in public services failing to meet the needs of women service users.</p> <p>SWBG would welcome specifics on measures of real improvements in effectively targeted services, and are concerned that the proposed indicator is based on "perception" of public services.</p> <p>SWBG welcome the recognition of the role of unpaid carers and the proposal to improve provision of respite care and other forms of support for informal carers, the majority of whom are women. Specific commitment to carers, however, is not obvious in the Detailed Spending Plans 2008-11.</p>

## 2. Portfolio Plans and Draft Budget

SWBG are concerned at the lack of transparency in the spending plans proposed, specifically the lack of identifiable budget lines on issues raised elsewhere in this response, for example, carers, women in enterprise, labour market etc.

As the Detailed Spending Plans in the Draft Budget are currently presented, there are no clear programmes or spending plans set out that reflect stated priorities on promoting equality and tackling inequality. This will make tracking spend such measures difficult at departmental and agency level, as well as for external stakeholders. It also raises a range of concerns on the substantive policy content within programmed spend that will be effectively

targeted on need, as assessed by effective gender and equality analysis, and that will effectively address persistent discrimination and inequality.

The Equality Budget has been commented upon earlier in this paper. SWBG is concerned at the range of activities proposed under this budget heading, and how these proposed lines of resourced activity are to be managed and effectively mainstreamed across portfolio departments, and development activity supported outside government in the voluntary, public and private sectors.

## **A. Finance and Sustainable Growth**

SWBG welcome the emphasis on “better quality, user-focused services,” (p.50), and believe that Gender Budget Analysis at the macro-level and on an individual portfolio basis through effective use of Equality Impact Assessments is the key approach to delivering on this objective. However, as stated elsewhere in this response, we have grave concerns that the financial constraints and restraint imperatives imposed on local and public authorities may be detrimental to resolving equal pay disputes, and tackling in-work poverty among public sector workers, specifically women.

### **➤ Women and Enterprise**

The Scottish Government assert that private business is the “principal driver of increased productivity, employment growth, competition, innovation and national prosperity”, but in the proposals to create attractive conditions for women, there are no specific targets for business start-ups by women, growth or consolidation of women-owned businesses, or allocation of resources to support strategic development of women’s enterprise. With the Business Gateway and Enterprise Network functions of business support moving to local govt, **SWBG would wish to be assured that women only services and support will be retained.**

## **B. Health and Wellbeing**

### **➤ Cervical Cancer**

SWBG welcome the commitment to fund a programme designated for women’s reproductive health, and are concerned that other aspects of women’s right to choose and retain control of their own reproductive decision are not eroded by policy direction or the withdrawal of resources.

### **➤ Violence Against Women** is referenced in this portfolio as featuring in programmes and policies under this strategic objective.

We welcome the Scottish Government’s recognition that violence against women is both a cause and a consequence of gender inequality through its positioning in the proposed Equality Budget. Given that violence against women is a complex, persistent and widely prevalent phenomenon with enormous social, economic and human rights’ costs, however, the need for a cross-cutting spend is self-evident. Unfortunately, funding attached to violence against women programmes is referenced nowhere

else but in the proposed Equality budget. These omissions are particularly glaring in the spending proposals for Justice and Health. The proposal for Local Government allocations includes funding streams formerly identified for the Violence Against Women Fund and the Women's Aid Children's Services Fund. Given that these small pots of money are no longer ring-fenced but included in GAE, the lack of specific outcomes related to them in the proposed outcome agreements suggests that violence against women is no one's responsibility. **SWBG would welcome further expansion on the specific spending and reporting lines to ensure the provision of effective prevention, intervention and support services. SWBG look forward to the SNP government giving full practical effect to the Statement of Intent proposed by Zero Tolerance on behalf of the Women's Coalition.**

### **C. Education and Lifelong Learning**

The proposals on the development of a new organisation, Skills Development Scotland Ltd., contain no gender analysis or mention of occupational segregation. Again, assuming this new public authority will be required to produce a Gender Equality Scheme, SWBG would hope to see some analysis and prioritising of measures to address gender-based occupational segregation.

The low level allocations to community learning and community development are disappointing, given that these are often a source of learning for women.

SWBG are concerned that implicit within the drive to reduce class sizes there will be greater emphasis placed on the role of Classroom Assistants, without that reliance being reflected in their terms and conditions. Recent research by the Equal Opportunities Commission in Scotland<sup>1</sup> – prior to its absorption into the Equality and Human Rights Commission – highlighted the poor recognition and recompense for Classroom Assistants and the pernicious undervaluing of their role and skills that, as a group, they had experienced.

### **D. Justice**

Identifying the Government's overarching high-level priorities for Justice is a challenge in the Review. An accurate picture must include Justice targets in the Concordat with local government as well as the explicit commitments in the portfolio discussion (Chapter 13).

The indicators offered for crime and violence reduction in the Concordat fail to identify any target for increasing conviction rates and look for 2 percent improvements for "overall" rates of reconviction and revictimisation and a 3 percent improvement in cases dealt with by courts within 26 weeks. No requirements for targeting of improvements to types of crimes or classes of offenders are suggested, and the targets are very broad and could in fact result in improvements in high-volume, small impact crimes and leave

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<sup>1</sup> "Valuable Assets", EOC Scotland 2007

untouched the violence in private and public spaces that has such a differential impact on women and children.

Highly gendered crimes such as rape and domestic abuse have some of the lowest conviction rates (3.9 percent for rape), are widely under-reported and have enormous health and economic impacts on communities. Without specific targets for these crimes, the outcome agreements to be negotiated through the Concordat are unlikely to deliver the Government's priority objectives of reducing significant inequalities in Scottish society, improving life chances for children, young people and families at risk, or ensuring that Scots have lives safe from crime, disorder and danger.

In the Justice portfolio (Chapter 13), spending is diffuse and linked to diverse priorities with no specific targets or overarching outcomes identified. SWBG welcomes the statement that resources will be focused on "women offenders" given the current profile of most women offenders is of non-violent women who are likely to be primary caregivers for their children and who are imprisoned for failure to pay fines or penalties or for drug-related offences. We suggest however that specific targets, e.g., for decreasing numbers of women serving prison sentences for non-violent crimes, be linked to resources and progress be measurable.

It is particularly unfortunate that the only mention of women in the Justice priorities is to offenders. Community Justice Services and the Courts Group discussions specify a number of spends that will have differential impacts and widen the inequality gap between women and men. (Some examples include spend on Drug and Youth Courts, which serve a high proportion of male offenders, multi-agency public protection arrangements limited to sex offenders, despite the Government's previous commitment to roll out risk assessment and risk management for violent offenders through the Community Justice Authorities.) Even more disappointing is the absence of any reference to addressing court processes that might have a significant impact on women's rights to live free from fear and violence: fast-tracking of domestic abuse cases, specialist domestic abuse courts, multi-agency risk assessment conferencing (widely available in Wales and England), specialist prosecution services and training for the judiciary to increase rape and sexual assault convictions, currently a shameful 3.9 percent.

**SWBG would welcome greater clarity and specifics on the statement that work within this portfolio "contributes to our work to tackle disadvantage, prejudice and discrimination".** As the anti-discrimination legislation is reserved to Westminster, what are the approaches or powers within this portfolio which substantiate this statement.

## **Local Government**

There is comment elsewhere in this response on both the importance of and opportunity that the public duties to promote equality, specifically for our purposes gender equality, represent. SWBG considers that the Equality Schemes required under the Gender Equality Duty, and the Equality Impact

Assessment tools developed to support this process should be incorporated as appropriate within the proportionate inspection regimes and performance reporting requirements referred to on p.73. Are the Government proposing that Single Outcome Agreements include appropriate reference to and measurement of activities to promote equality?

SWBG have a number of concerns about the effectiveness of current audit arrangements of local government and public authority finance and financial management, and the extent to which equality measures have not been contained within current processes. The Best Value regime requires local government to have regard for equality, as well as other measures of efficiency, effectiveness and economy. How will these requirements of the 2003 Local Government Scotland Act be incorporated into the new proposals on performance management? Will proposed new Performance Framework and Single Outcome Agreements include, or even build upon the ministerial guidance on Best Value that currently requires that measures are in place to meet UK-wide equal opportunities requirements; equality impact assessments and equality performance measures are standard; and equal pay audits and reviews are part of regular practice?

## **Childcare**

There appears to be no specific mention of Surestart or the Childcare Strategy among the funding streams which this Budget proposes to transfer to local authorities and CPPs. **SWBG would welcome clarification on the Government's intentions to support these strategies and programmes.**

Childcare is an essential service for parents, particularly women, trying to maintain employment or return to work. Without childcare, return to work may be impossible for many lone parents. However, provision in Scotland remains patchy and can be expensive for people on low incomes. A study for the Equal Opportunities Commission found that 41% of people contacted who had 6-9 year old children felt their chances of getting a better job was limited by childcare (EOC 2006).

There are only 2 general references to childcare in page 14 and 20 the budget documents indicate that the Early Years and Childcare Workforce Development is part of services that are 'rolled up' into the settlement for local authorities. Although working for families fund is ring-fenced (p 74), there is a need to ensure that provision of, or funding for, childcare through local authorities is maintained to ensure that this lifeline for working women is maintained across Scotland. This could be viewed as one indicator of progress for supporting employment and return to employment amongst women. SWBG wishes to seek assurances that childcare provision will not be vulnerable to any deterioration in provision to meet demand. We are also concerned that the predominantly female workforce in childcare and early years provision has pay and conditions that remain a key concern in the sector (Nicholson, 2007<sup>2</sup>). Such low wages remain unattractive to men and

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<sup>2</sup> Nicholson L (2007) National review of the early years and childcare

need to be key considerations in developing services that reflect the skills and responsibilities required for this vital service.

## Part Three

### Recommendations for Gender Equality

#### 1. Gender Equality Duty

Scottish Ministers have an additional duty to publish reports on GED progress every three years. These reports must set out the priority areas they have identified for public authorities in the advancement of equality of opportunity between women and men, and also provide a summary of progress being made. The first report must be published by 1 July 2010.

SWBG wish to highlight possible, practical actions to support gender analysis of budgets and spending offered by the GED process and requirements:

- Gender Equality Schemes are required to be outcome focused, requiring targets to be set and positive outcomes listed. Gender specific policy and resource allocations should be clearer as a result of the preparatory work undertaken to write up / develop the gender equality scheme. While it is not essential for a scheme to list the resource allocation while developing a scheme, it would be an opportunity to review spending and outcomes against spending if it were part of the initial appraisal and in the content of the Scheme.
- Public authorities must conduct gender impact assessments of current and proposed policies. Pursuing this exercise should reveal some basic gender issues in service provision.
- Better data should be held by public authorities as a result of the development of gender equality schemes. This should lead to improved and informed policy development in the future. Consultation is also required with client groups etc. this may take a few years to filter through but information held by public authorities should be improved.

#### 2. Re-statement of SWBG recommendations from the body of the response.

- **SWBG would welcome further explanation on why this Scottish Budget Spending Review has not been the subject of an Equality Impact Assessment.**
- **SWBG would welcome further explanation on how the proposals for re-directing £1.6bn to be announced in March 2008 will be subject to gender budget and equality impact analysis.**

- **SWBG would welcome more detail on the value and focus of the new fund to be made available to Community Planning Partnerships.**
- **SWBG would welcome a specific response from the appropriate Ministers on the Scottish Government's plans to ensure that local authorities meet their obligations to equal pay by ensuring resources are available to meet existing and forthcoming pay claims, and that effective and transparent equal pay policies are in place.**
- **SWBG would welcome further detail on how equality measures are to be integrated into the proposed National Performance Framework and the Single Outcome Agreements with local authorities. SWBG believe that there is a specific opportunity to ensure that the Equality Schemes produced by public authorities are brought within the National Performance Framework to ensure that equalities analysis and measurements of progress are included.**
- **SWBG would welcome greater clarity on how the proposed Equality Budget would be utilised to best effect to ensure that the appropriate underpinning support for practice development happens and is made available across Directorates.**
- **SWBG would wish to be assured that services and support for women's enterprise and business development will be retained.**
- **SWBG are concerned that the Scottish Government ensure that their proposals on skills strategy and the activities of the Skills Development Council contain effective analysis of gendered occupational segregation and that skills and sectoral development programmes are given resources and direction to address this.**
- **SWBG would welcome further expansion on the specific spending and reporting lines to ensure the provision of effective intervention and support services for women experiencing violence and women victims of violent crime.**
- **SWBG look forward to the SNP government giving full practical effect to the Zero Tolerance pledge.**
- **SWBG would welcome greater clarity and specifics on how activities within the Justice Portfolio will "tackle disadvantage, prejudice and discrimination".**
- **SWBG would welcome clarification on the Government's intentions to support the Childcare Strategy and Surestart programme and further specifics on how affordable, accessible childcare will be integrated into training and employment programmes.**