

Parliamentary Briefing: Building a Social Security System Together: Co-designing the Social Security Charter

Engender and Scottish Women's Aid welcome this opportunity to discuss the creation of the Social Security Charter and the importance of ensuring women's voices are heard in the process. Since 2013 our organisations have worked together to highlight the gender-impact that women accessing social security face.¹

Both Parliament and the Scottish Government have committed to establishing the Scottish Social Security System with human rights, dignity, respect and equality at its core. Our organisations share the belief that gender equality is a key aspect of this commitment. Including women and women's organisations in creating the Charter will be crucial for its ability to embed the principles in the Social Security (Scotland) Act 2018 in a manner that reflects the specific experience and needs of women.

Our organisations are calling for:

- **Gender Equality to be expressly included in the Charter and meaningfully embedded in its accountability mechanisms and data gathering;**
- **The Scottish Government's Core Group drafting the Charter to reflect gender balance and be representative of those facing multiple disadvantages;**
- **The Scottish Government to work proactively with third sector equalities organisations, including women's organisations, to ensure barriers to women's participation can be overcome and expertise around the impacts of social security can be shared**

1. Women's experience of social security and "Welfare Reform" - an overview

The UK Government's "welfare reform" programme has had a disproportionately severe impact on women and exacerbated pre-existing gender inequalities. Women are twice as dependent on social security as men, due to a mix of low-paid work, unpaid caring roles, violence against women and other structural inequalities.² For women who face multiple inequalities - including disabled women, black and minority ethnic (BME) women and

¹ See Engender (2016) *Securing Women's Futures: using Scotland's new social security powers to close the gender*

equality gap; Engender (2015) *A widening gap: women and welfare reform*

² Engender (2016) *Securing Women's Futures: using Scotland's new social security powers to close the gender equality gap*

refugee women, these inequalities are likely to be heightened and ensure they are more affected by changes to social security.

Between 2010 and 2020 86% of net 'savings' raised through cuts to social security and tax credits will come from women's incomes.³ Cuts are creating further barriers to women's participation across all branches of society. While the Scottish Government's "welfare reform" mitigation policies are to be welcomed, there is an urgent need to go further to address the severe impact on women's resources, security and safety.

2. Gender equality in the Social Security Act 2018

We welcome the commitment to embed human rights and equality into the breadth of the new system, from the Scottish Social Security Agency to the administration of devolved entitlements. During the course of the Bill, Engender and SWA (with CRER and other partners in the equalities sector) campaigned for the introduction of an equality principle to tackle the specific implications of social security for women.⁴

Section one of the 2018 Act includes the principle of continuous improvement, including ways in which the system advances equality and non-discrimination. The inclusion of these principles in the final Act and the commitment shown by Government and other stakeholders to a proactive human-rights based approach is clearly warmly welcomed.⁵ However, this must also be coupled with further steps to embed the principles in structures and processes so that different outcomes will be realised for women interacting with the social security system.

3. Equality in the Social Security Charter

The Charter aims ensure a wholesale cultural change throughout the delivery of social security. It will further elaborate the 'implicit social contract' between those delivering and individuals accessing social security. The Charter will be reviewed every five years and Ministers must report annually to Parliament on progress against its aims.

While not intended to confer additional rights, the Charter will potentially play an important role in ensuring application of the principles throughout the new system. However, we share concerns, voiced in other corners of the equalities sector, that without an enforcement mechanism to contest a potential breach of rights, the Charter will be limited in its value.

We welcome the intention to translate the principles into a clear and accessible statement of rights; explaining what is meant in practice by 'dignity', 'respect', 'equality' and other principles. If individuals understand and are able to clearly identify their rights from initial

³ Women's Budget Group (2016) *The impact on women of the 2016 Budget: Women paying for the Chancellor's tax cuts*

⁴ As well as an obligation to consult with equalities groups and people with PCs during the development of the Charter, and a duty on Ministers to collect, analyse and publish equality monitoring data in the Annual Report.

⁵ Scottish Government *Social Security (Scotland) Bill Policy Memorandum*

application onwards and staff understand the cultural expectations involved in delivering entitlements, there is an opportunity to foster a relationship built on trust.

During our Gender Matters Focus Groups (2016),⁶ participants spoke of a lack of understanding of women's circumstances among frontline workers, leading to negative impacts on outcomes, mental health and wellbeing. The Charter's usefulness for women will depend on ensuring that frontline workers understand gender equality and intersectional issues, including childcare, lone parenting, unpaid care, violence against women, gender stereotyping, women and the labour market, and issues for disabled women and migrant/refugee women.

We therefore believe that equality and gender equality should be explicitly included in the Charter. This would underline Parliament and Government's commitment to a human-rights based approach to social security by ensuring that women's experiences are considered at each stage of delivery, and reflect the commitment to equality and non-discrimination on the face of the Bill. The grotesque impact of the current UK social security system on women merits a strong commitment to advance equality and non-discrimination by properly mainstreaming gender and other forms of equality throughout the Charter to fully consider the implications of social security policy for women's equality.⁷ Considerations should further recognise that young women, disabled women, and BME women are all more likely to experience poverty.

Equality and gender equality should be also be meaningfully included in the Charter's accountability mechanisms, data gathering and analysis which measure implementation ahead of the reviews foreseen in legislation, including the annual Ministerial statement.

4. Embedding women's voices in the Charter through co-creation

The Charter is being drafted by a Core Group comprising members of the Scottish Government's Experience Panels, reflecting the commitment that the Charter be drafted by people who are, or have been, in receipt of one of the devolved benefits. The Core Group is supplemented by a broader stakeholder group of organisations with relevant expertise to comment on proposals.

However, as we have continued to make clear, women experience social security differently due to gender inequalities which affect their participation and access to resources. We have shared concerns that the Core Group of 30 participants is unable to reflect this experience and the further disadvantages faced by women with overlapping inequalities. The Government itself notes that at the first meeting of the stakeholder group "*organisations*

⁶ Engender (2016) Scottish Government Consultation on Social Security in Scotland: Focus Groups With Women

⁷ Gender mainstreaming refers to the process of embedding the advancement of gender equality as an objective of social security policy from the outset of policy development, and establishing monitoring and evaluation measures to assess progress.

highlighted a number of areas that had not been identified by the core group by this stage – including equality and non-discrimination.”⁸

Our Gender Matters focus groups showed that the women themselves were experts in the social security system and how it impacts their own lives and circumstances. This knowledge of what will or won't work for them should be taken seriously. **We would question how the Scottish Government will ensure it is inclusive of different, gendered experiences?**

Effective co-creation will require proactive steps to involve diverse groups of women. For example, women-only focus groups to ensure that all women-participants are able to speak freely about their experiences in an environment that respects their dignity.

A process which ensures inclusive and meaningful participation is central to the stated Visions and Principles of the Scottish social security system. A human rights-based approach as stated in the 2018 Act should also reflect the SHRC's PANEL Principles,⁹ namely Participation,¹⁰ Non-Discrimination and Equality and Empowerment.¹¹ **We therefore call for the Core Group to be gender balanced and representative of women facing multiple inequalities.**

In addition, third-sector organisations which provide support and assistance to those who receive social security have an important role to play in sharing expertise during the creation of the Charter. Section 16 of the Act obliges ministers to include views of persons who work with or represent individuals whose income is adversely affected because a member of the household has one or more protected characteristics under the Equality Act 2010.

National and regional equality organisations that support women experiencing domestic abuse, refugees, black and minority ethnic groups, lone parents, carers, disabled people and others should be fully consulted. They have specific knowledge about the barriers faced and earned trust with those they represent to facilitate direct participation and offer expertise from the equalities sector. They are also familiar with the international evidence around social security, equality, human rights, and the ways in which it intersects with other policy domains around which they work. It is important to combine the expertise from lived experience with other forms of gender competence.

We therefore believe that the Scottish Government should take proactive steps to seek views from representative organisations from across the equalities sector.

⁸ Scottish Government (2018) *Designing the Social Security Charter: Report*

⁹ SHRC *A Human Rights Based Approach: an Introduction*

¹⁰ *People should be involved in decisions that affect their rights*

¹¹ *Everyone should understand their rights, and be fully supported to take part in developing policy and practices which affect their lives.*

5. Conclusions

In summary, Engender and SWA believe that co-creation of the Scottish Social Security Charter should consider:

- The disproportionate effects of social security as a consequences of gender inequality, in particular women facing multiple inequalities including disabled women, black and minority ethnic (BME) women and refugee women;
- The Scottish Parliament and Scottish Government's commitments to a human rights-based approach to the new social security system in Scotland, including the social security principles;
- The need to embed gender equality across the entirety of social security administration and practices by specific inclusion in the content of the Charter;
- The need to take positive measures to include women, particularly women with multiple inequalities, in order to ensure their particular needs are reflected in the content of the Charter;
- The existing expertise and experience of equalities sector organisations.

We therefore call for:

- Gender Equality to be expressly included in the Charter and meaningfully embedded in its accountability mechanisms and data gathering;
- The Scottish Government's Core Group drafting the Charter to reflect gender balance and be representative of those facing multiple disadvantages;
- The Scottish Government to work proactively with third sector equalities organisations, including women's organisations, to ensure barriers to women's participation can be overcome and expertise around the impacts of social security can be shared.

For Further Information

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