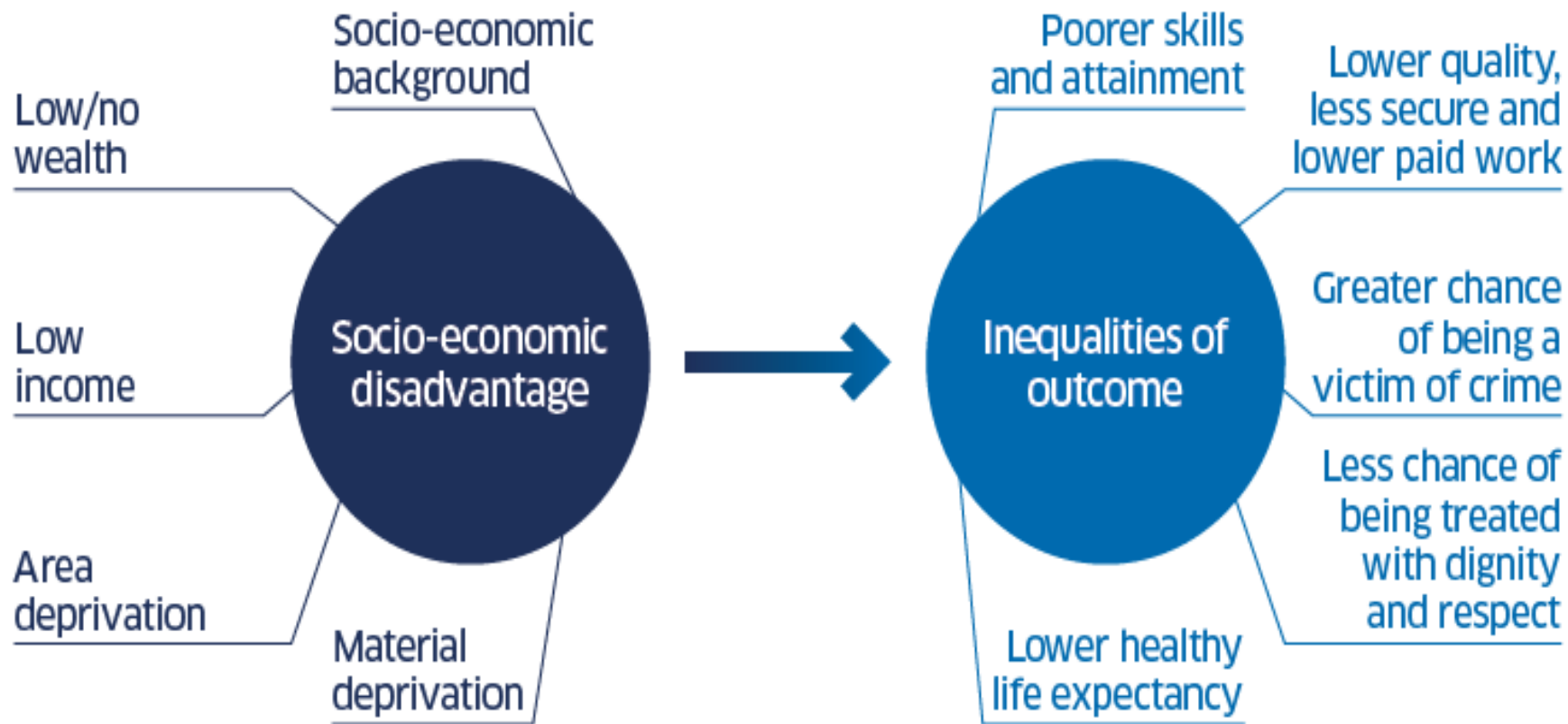


# Timeline: Fairer Scotland Duty

- Originally legislated for as the 'Duty to reduce socio-economic inequalities' – forming part 1 of Equality Act 2010
- Last Act of the Brown Government; Part 1 not commenced by incoming Coalition Government.
- Scotland Act enabled Scottish Parliament to commence the Duty
- Introducing the new duty was included in 2016 Manifesto
- We consulted on duty implementation in summer 2017 and published Interim Guidance in March
- Duty came into force through regulations from April
- To be known in practice as the 'Fairer Scotland Duty'

# What is the duty?

- Requires named public bodies, including Scottish Ministers, to have due regard to:
  - Narrowing the inequalities of outcome
  - Caused by socio-economic disadvantage
  - When making strategic decisions.
- The requirement is – to actively consider how inequalities can be reduced in any decision made and to publish a written assessment showing how this has been done.
- In terms of ‘due regard’ there’s no obligation to achieve a result, but results are nevertheless important.
- In terms of ‘strategic decision’, guidance provides advice but a judgement will need to be made in some cases.



### Stage 1 - Planning - Is this proposal/decision strategically Important or not?

**YES** - Begin the Fairer Scotland assessment process during development of the proposal. **Move to Stage 2.** **NO** - There is no requirement for a Fairer Scotland assessment. **Move to Stage 5.**

### Stage 2 - Evidence

What evidence do you have about socio-economic disadvantage and inequalities of outcome in relation to this issue or decision? Is it possible to gather new evidence, involving communities of interest?

### Stage 3 - Assessment and Improvement

In discussion, consider: What are the main impacts of the proposal? How could the proposal be improved so it **reduces or further reduces** inequalities of outcome?

### Stage 4 - Decision

This stage is for an appropriate officer to confirm that due regard has been paid. They should be satisfied the body has understood the evidence, considered whether the policy can narrow inequalities of outcome, considered improvements and the links to socio-economic disadvantage and equality.

### Step 5 - Publication

Public Bodies covered by the Duty must be able to show that they have paid due regard to meeting it in each case. This should be set out clearly and accessibly, and signed off by an appropriate official from the body in question.

# Support available

- We're appointing a national coordinator to help public bodies implement the duty effectively
- Coordinator will help update the guidance and explore what could be done to explore the issue of Socio-Economic background
- EHRC is the duty regulator and will be expected to help us navigate between these and other duties (equality, human rights, children's rights)
- We're making seedcorn money available so public bodies can bring lived experience into strategic decision-making more easily
- Chief Social Policy Adviser's team leading on 3 or 4 pilots over first year to help inform / develop final guidance