

**Equality Impact Assessment Results**

**The Early Years Assistance  
(Best Start Grants) (Scotland)  
Regulations 2018**

**September 2018**

## Equality Impact Assessment Results

<b>Title of Policy</b>	The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018
<b>Summary of aims and desired outcomes of Policy</b>	<p>The Best Start Grant (BSG) aims to financially support eligible families with the additional costs associated with having a child in their early years.</p> <p>The BSG aims to help to alleviate material deprivation, tackle inequality and support closing the educational attainment gap.</p>
<b>Directorate, Division, Team</b>	Social Security Directorate, Social Security Policy Division, Best Start Grant Policy Team

### EXECUTIVE SUMMARY

1. This is a summary of the full Equalities Impact Assessment (Best Start Grant) conducted on the BSG to accompany the Early Years Assistance (Best Start Grant) (Scotland) Regulations 2018.
2. The Scottish Government is committed to replacing the UK Government's Sure Start Maternity Grant (SSMG) with the BSG, a new, expanded benefit to provide financial support to lower income families during a child's early years.
3. The BSG is one of a range of measures aimed at giving children the best start in life and will pay qualifying families £600 at around the time of the birth of the first child and £300 on the birth of every subsequent child. An additional payment of £300 is payable in the case of a multiple birth. The grants will be administered by Social Security Scotland.
4. The regulations this EQIA relate to are for the BSG Pregnancy and Baby payment only but this EQIA relates to all three BSG payments once fully implemented, pregnancy and baby, early learning and school age payments.
5. This EQIA has considered the potential effects of the BSG and how it impacts on people with one or more protected characteristics. Our findings are based on desk based research, analysis of consultation responses and stakeholder engagement and feedback, and what we have heard directly from people with experience of applying and from people who may be eligible in the future.
6. All families who share protected characteristics will benefit from:
  - The increase in the value of the pregnancy and baby payment to £600 by comparison with £500 under SSMG, and
  - The introduction of £300 payments for second and subsequent children.
  - Improved access as a result of simplified eligibility, wider application windows and a more accessible application process.

7. We found that BSG has potential to impact positively on those who share protected characteristics:

- Age – young parents under 18 or 18 and 19 and still in full time education and dependent on their own parents will have better access to the BSG than they currently do to the SSMG. This is both because they are not required to be on a qualifying benefit in order to access a payment and because they will be able to apply in their own right rather than their parent or carer (the grandparent) being the qualifying person.
- Disability – while the BSG has not provided separately for disabled parents or children in eligibility, the rules have been developed with the needs of disabled children in mind. For example there is no requirement to take up a nursery place to qualify for an early learning payment.
- Pregnancy and Maternity – the expansion of eligibility and extension of the application window will improve access for mothers, allowing more mothers to apply earlier in their pregnancy, allowing them to plan ahead. Payments for second and subsequent children will provide support at every pregnancy rather than just the first.
- Race, Religion and Belief – there is evidence that those who share these protected characteristics tend to have larger families. These families will benefit from the introduction of payments to second and subsequent children.

8. Groups who share protected characteristics may face difficulties in accessing or understanding their entitlements due to language or other communication barriers. Applications for BSG will be taken over the phone, online or on a paper form which will improve access. We will ensure information and advice on BSG is as accessible as possible and reaches the full range of people who could benefit from this support in a range of formats.

9. The Scottish Government's commitment to co-design the new social security system with experts and people with personal experience of the current system has ensured that those with protected characteristics have had a direct impact on shaping the service.

## BACKGROUND

10. The Social Security (Scotland) Act 2018<sup>1</sup> (the Act) was brought forward as a result of the changes to the devolution settlement enacted in the Scotland Act 2016.

11. Section 32<sup>2</sup> and Schedule 6<sup>3</sup> of the Act make provision for Early Years Assistance and require that Scottish Ministers make regulations setting out provision for eligibility, including residence, what assistance is available, the value of the payments and when to apply. The regulations also include provision for timescales for the processing of redeterminations and certain issues of process relating to application dates. Further rules will be set out in operational guidance.

12. The Early Years Assistance (Best Start Grants) (Scotland) Regulations 2018 (the Regulations) provide detailed rules relating to the BSG pregnancy and baby payment only but this impact assessment relates to all 3 BSG payments - pregnancy and baby, early learning and school age payments.

## Policy Aims

13. Scottish Ministers want to make Scotland the best place in the world for a child to grow up. Early interventions and preventative work will target the earliest years of a child's life, to build strong foundations and reduce the number of adverse childhood experiences that we know have lasting impacts on our children and shape their lives as adults.<sup>4</sup>

14. The Tackling Child Poverty Delivery Plan<sup>5</sup> summarises the actions the Scottish Government will take towards the ambitious targets set out in the Child Poverty (Scotland) Act 2017<sup>6</sup>.

15. The BSG is one of a range of measures aimed at giving children the best start in life and will pay qualifying families £600 at around the time of the birth of the first child and £300 on the birth of every subsequent child. An additional payment of £300 is payable in the case of a multiple birth. Qualifying families will also receive £250 around the time the child starts nursery and a further £250 when they start primary school, although there is no requirement to enrol/attend nursery or school to qualify for a payment.

16. At present the SSMG payment provides £500 for the birth of a first child and does not provide support for second and subsequent children.

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<sup>1</sup> The Social Security (Scotland) Act 2018 <http://www.legislation.gov.uk/asp/2018/9/contents/enacted>

<sup>2</sup> Section 32 <http://www.legislation.gov.uk/asp/2018/9/section/32/enacted>

<sup>3</sup> Schedule 6 <http://www.legislation.gov.uk/asp/2018/9/schedule/6/enacted>

<sup>4</sup> A Nation with Ambition, The Government's Programme for Scotland 2017-18 <https://www.gov.scot/Resource/0052/00524214.pdf>

<sup>5</sup> Tackling Child Poverty Delivery Plan <https://beta.gov.scot/publications/child-chance-tackling-child-poverty-delivery-plan-2018-22/pages/1/>

<sup>6</sup> Child Poverty (Scotland) Act 2017 <http://www.legislation.gov.uk/asp/2017/6/contents/enacted>

17. The BSG payments are:

- Pregnancy and baby payment – will help with expenses in pregnancy or of having a new child, for example a pram or additional heating. This lessens the financial burden on lower income families when they are expecting a child.
- Early learning payment – will help with costs during nursery and early learning years to support child development, for example travel costs, changes of clothes for messy play, trips out and toys for home learning.
- School age payment – helps with the costs of preparing for school, for example a school bag, educational toys, after school activities such as swimming or football, or helping with the cost of school milk or school trips.

18. Administration of BSG will be integrated with Best Start Foods (BSF) (currently UK Healthy Start Vouchers) to reduce effort for the applicant and administration for Social Security Scotland.

19. This support is part of achieving the Scottish Government's National Outcomes and will specifically contribute towards the following:

- We grow up loved, safe and respected so that we realise our full potential
- We tackle poverty by sharing opportunities, wealth and power more equally
- We are well educated, skilled and able to contribute to society

20. Building on the Social Security (Scotland) Act's framework of a benefit that is founded on dignity, respect at its heart, Scottish Ministers are committed to supporting people to access their full entitlement. The Social Security Agency will be required to prepare a strategy to promote take up of the benefits it is administering.

21. BSG represents a significant additional investment by the Scottish Government in comparison to current SSMG provision. The Scottish Fiscal Commission (SFC) is responsible for producing independent forecasts of devolved social security expenditure. For BSG Pregnancy and Baby payment, the SFC will publish forecasts alongside the laying of the BSG regulations.

22. Based on assumptions from the SFC model, in the first full year of running 2018-19, we estimate that there will be 12,500 BSG Pregnancy and Baby payments with a total cost of £5.5m. Once the Early Learning and School Age payments are added, we estimate that the total number of payments annually will be in the region of 39,000 at a cost of £12.1m, based on 2019-20 figures.

## Who was involved in this EQIA?

23. A New Future for Social Security Consultation<sup>7</sup> ran during summer 2016 (the report on BSG can be found on page 199 of the analysis of written responses to the Consultation on Social Security in Scotland<sup>8</sup>). The BSG section sought views on key aspects of the benefit and received over 100 responses from both individuals and organisations. The views expressed, along with the findings from a stakeholder event held in May 2016 where workshops included a discussion on equalities impacts, helped shape the initial proposals for BSG discussed with the BSG Reference Group.

24. The BSG Reference Group<sup>9</sup> was established in October 2016 to help gather evidence, bring a variety of informed perspectives and provide feedback on proposals. Members include the Child Poverty Action Group, Poverty Alliance, Barnardos, Save the Children, Engender, Scottish Women's Convention, One Parent Families Scotland, Parent Network Scotland, Maternity Action, COSLA, NHS Health Scotland, Early Years Scotland, Action for Children, South Lanarkshire Council, Glasgow City Council and Dundee Community Health Partnership.

25. We also held individual meetings with reference group members, for example Engender and Scottish Women's Aid, and other stakeholders, for example Young Scot and Families Outside, to discuss the development of BSG, including equalities impacts. We also visited Shakti and Fife Gingerbread to meet women and discuss their needs.

26. Illustrative regulations for the BSG<sup>10</sup> were issued to the Social Security Committee and the Delegated Powers and Law Reform Committee of the Scottish Parliament on 28th September 2017, during the passage of the Social Security (Scotland) Act 2018. They were also shared with a range of stakeholders to inform further development of the policy.

27. Early Years Assistance, a Consultation on the Best Start Grant Regulations<sup>11</sup> ran from 26 March to 15 June 2018 which allowed us to gather further feedback on our proposals and develop final policy. Particular questions were asked about how young parents access the BSG and about the test of responsibility for the child. The consultation summarised the findings of impacts assessments to that point and sought views on any further impacts. There were 51 responses to the consultation.

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<sup>7</sup> A New Future for Social Security Consultation <https://consult.gov.scot/social-security/social-security-in-scotland/>

<sup>8</sup> Analysis of Social Security Consultation <https://www.gov.scot/Resource/0051/00514351.pdf>

<sup>9</sup> Best Start Grant Reference Group <https://beta.gov.scot/groups/best-start-grant-reference-group/>

<sup>10</sup> Early Years Assistance (BSG) Illustrative Regulations and policy narrative <https://www.gov.scot/Publications/2017/10/9898>

<sup>11</sup> Early Years Assistance, Consultation on BSG Regulations <https://www.gov.scot/Publications/2018/03/2016>

28. The Scottish Government set up Experience Panels to ensure that people with direct personal experience of the current benefits system could help us decide how benefits are delivered in Scotland's new social security system. We have received, and are continuing to take, views from Experience Panel members and other parents, for example groups of people who are disabled or have a long term health condition, on the design of the form and service to deliver BSG. A summary of research findings was published in August 2018.<sup>12</sup>

29. We are now in the final stages of developing the business processes which will allow people to access and receive the BSG. We have taken an 'Agile' approach to service design, which means that we have continually tested evolving designs with clients to make the application process as user-friendly as possible. People from groups who share protected characteristics have been included in this process. We have engaged with Black, Asian & Minority Ethnic (BAME) groups, pregnant mothers from working and non-working families, single parents, kinship carers, young parents, bereaved parents, and those with an impairment or disability.

30. This research has enabled us to make sure the language used in the BSG application form is easy to understand and has helped us to design evidence gathering processes which put minimum burden on the applicant. After we start to make payments, we will continue to take on board feedback from service users in order to enhance our IT systems and ensure Social Security Scotland staff have what they need to provide a high level of service. This will all contribute to ensuring the service we provide has dignity and respect at its heart.

## **KEY FINDINGS**

31. The increase in the value of the payments timed at key transition points in a child's early years will help to reduce the significant household costs associated with these transitions. This will help decrease the financial pressures on the household, which can have negative effects on parental health, mental health, parenting skills and family relationships.

32. As well as these overarching benefits, there is also evidence that BSG will have particular impact for the following groups.

### **Age**

33. Parental age has a significant impact on child poverty rates: 50% of children whose mother is aged 25 or younger are in relative poverty, compared with 22% of children whose mother is over 25.<sup>13</sup>

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<sup>12</sup> BSG – Visual Summary of Research Findings <https://www.gov.scot/Publications/2018/08/1898/0>

<sup>13</sup> Characteristics associated with poverty <https://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/IncomePoverty/povertytable>

34. The Scottish Government's Pregnancy and Parenthood in Young People Strategy<sup>14</sup> highlights that young mothers are considerably more reliant on state benefits and tax credits than older mothers – a position that remains the case as the child ages. It is clear from our user testing that many find accessing the welfare and income to which they are entitled confusing and difficult.

35. Responses from the Social Security, a New Future consultation highlighted under 18s as a group which would benefit from simpler provision. To do this, and to align with eligibility for BSF, we have decided to invest additional resource to introduce automatic entitlement for under 18s and 18 or 19 year olds in full time education or training who are still dependent on their parents. These young parents will not need to be on a qualifying benefit in order to qualify for a BSG payment. As part of a telephone or online claim, this will mean that they are asked fewer questions at application stage, meaning they are more likely to complete the process. Having this contact with young parents through the BSG application will mean that Agency staff can promote take up of any other benefits which they might be eligible for, in line with our commitment to income maximisation. Young parents will be encouraged to make contact with antenatal services if they have not already registered.

36. We will work to embed BSG in wider early years policy such as the Family Nurse Partnership which will help improve take-up for younger parents, ensuring they get the support they need to alleviate hardship.

37. A key issue raised during the consultation was that pregnancy can have a disruptive effect on family relationships at younger ages and these young parents may be in transition when they need to apply. The consultation proposed making the grandparent the qualifying person for parents under 16 and those who are 18 and 19 and still in education and training, as happens for the SSMG at present. This would mean that the grandparent meets the eligibility criteria and receives the payment. A number of concerns were raised about this approach, in particular around the rights of the child, empowering young parents and the possibility that younger parents might not have a say in how the money for their own child was spent. Examples were given of difficult situations such as parents refusing to apply on the child's behalf or using the money for their own purposes. Despite this, the majority of respondents agreed with the grandparent proposal and felt it to be important for a pregnant child or new teen parent to have the support of an adult in accessing the payment.

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<sup>14</sup> Pregnancy and Parenthood in Young People Strategy  
<https://www.gov.scot/Publications/2016/03/5858>

38. In response to discussions during the consultation period and in keeping with the social security principles of dignity and respect, there will be a choice for young parents:

- A young parent who is under 18 or 18 or 19 and still in full time education or training and dependent on their parents, can qualify for a payment.

Or/

- A grandparent or someone responsible for a young parent can qualify for a payment on the basis that they are responsible for someone having a baby.

### **Parents Under 16**

39. There were 40 births to mothers under 16 in 2016 in Scotland and we considered how to ensure that there would not be any barriers to these young parents receiving a payment. The legal age of capacity is 12 years old in Scotland and, in keeping with the rights based approach set out in the Social Security (Scotland) Act, we concluded that making the young person the eligible person was the best way to ensure they can exercise their right to social security. This will allow vulnerable under 16s who cannot rely on parents to act on their behalf, or who have had to leave home because of the pregnancy, to access a payment.

### **Care Leavers**

40. The responses to the Social Security consultation identified young care leavers as a group in need to support and the suggestion made that they should qualify without the requirement to be on a qualifying benefit.

41. We have engaged with the relevant policy team in the Scottish Government on this matter, along with stakeholders and specialists to explore scenarios. We have looked to learn from other areas, including lessons learned by the Student Awards Agency for Scotland.

42. Our analysis shows that young care leavers on low incomes will qualify under rules set out in the regulations and that making specific provision for all young care leavers might be counterproductive in complicating administration and communication about BSG.

43. In some cases, students who are care leavers who become pregnant may not be able to access a qualifying benefit before the baby is born so they will need to wait until they can access a Child Tax Credit or Universal Credit child element after the baby is born to qualify for a BSG. Where a care leaver is not on a qualifying benefit, it will be important for the Social Security Scotland local presence to have effective referral processes in place to ensure that they can be supported to take up that entitlement to the qualifying benefit and also apply for a BSG payment.

## Disability

44. Poverty rates are higher for households when a family member is disabled: 25% of households with a disabled child are in relative poverty compared with 19% of those without a disabled child.<sup>15</sup> BSG eligibility criteria reaches families on lower incomes so we expect BSG to have a positive impact on these families.

45. We heard from the responses to A New Future for Social Security Consultation<sup>16</sup> that costs are higher for disabled children and that we should consider adding Child Disability Living Allowance (DLA) as a qualifying benefit for BSG. However, we concluded that costs associated with disability were better looked at through Child DLA, which is also being devolved to the Scottish Government.

46. The needs of disabled children have contributed to decisions in designing the BSG in the following ways:

- Disabled children do not necessarily meet developmental milestones in the same timescales as other children. The BSG has a long application window for the early learning payment which accommodates children with different needs;
- Disabled children may not take up a place in formal education at the same timescale. To ensure that this is not a barrier, there is no requirement to enrol/attend nursery or school to qualify for a BSG payment; and
- Parents whose new baby has been identified as having a disability will have other priorities in the first few months. The extended application window (6 months rather than 3) will give them more time to apply.

47. For parents who have a disability, we are in the process of building a system which meets accessibility standards. The Scottish Government will adhere to Digital First Service Standards<sup>17</sup>. To progress to each new stage of development, the system must pass a Digital First Assessment. These assessments ensure that the system will meet accessibility standards for people who need extra support to use our service.

48. The BSG application process will give people more options than the existing SSMG process as applicants will be able to apply clerically, online and via telephone. This will allow applicants to choose an application route which best suits their needs. We are conducting user testing with people who have a broad spectrum of needs, including those affected by dyslexia and visual impairments, to ensure that the service is accessible.

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<sup>15</sup> Characteristics associated with poverty <https://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/IncomePoverty/povertytable>

<sup>16</sup> A New Future for Social Security Consultation <https://www.gov.scot/Publications/2016/07/9955>

<sup>17</sup> Digital First Service Standards <https://resources.mygov.scot/standards/digital-first/>

49. Through our Experience Panels, we are gathering information on the barriers that people experience and are seeking to design a system which meets their needs, offering a range of methods for application and contact. It should be noted that all methods of application and contact may not be available from the very first day of BSG implementation but the full service will provide them.

### **Gender Reassignment**

50. The BSG will be payable to someone who is responsible for a child regardless of gender.

51. No issues have been raised by stakeholders or through direct engagement with people who might apply for BSG in relation to gender reassignment. We asked for views on this in Early Years Assistance – Consultation on BSG Regulations<sup>18</sup>, but no respondents raised any relevant evidence related to the BSG policy and gender reassignment in their responses.

52. Work has been carried out to look at inclusive forms of address and how those who have had their gender reassigned are recorded, whether it is needed and if so how the system(s) will manage this change.

### **Pregnancy and Maternity**

53. Increased payments, widened eligibility and extended application windows should result in positive impacts on women during pregnancy and after birth. Further details on these positive impacts are set out below. We will also integrate the administrative systems for BSF vouchers which are also being devolved, into BSG to provide easier access to affordable and nutritious food for mother and baby. An EQIA for BSF will be carried out separately.

54. By making the BSG maternity payment payable from 24 weeks pregnant (the SSMG qualifying date is 29 weeks) the payment can be made earlier in the mother's pregnancy, allowing her to plan ahead. Similarly, eligibility has been extended to parents on any Working Tax Credit so that they will be able to apply before their child is born rather than waiting for an award of Child Tax Credit.

55. For BSG there will be a longer application window post birth. This is currently 3 months under SSMG and will be 6 months under BSG. This application window will be extended to one year where someone has taken on responsibility for a child, for example through kinship care.

56. If a parent has a stillborn child they are entitled to the BSG whether they apply before or after the child is born. Provisional figures for 2017 show that there were 225 recorded stillbirths in Scotland. We have met bereaved parents to try to understand their experience and this engagement will inform the development of communications and guidance so that people understand their entitlement.

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<sup>18</sup> Early Years Assistance – Consultation on BSG Regulations  
<https://www.gov.scot/Publications/2018/03/2016>

57. Some stakeholders and consultation responses have requested that Maternity Allowance (MA) be added to the qualifying benefits for BSG. MA is paid to people who are not eligible for statutory maternity pay. There are around 3,900 new MA recipients each year in Scotland. Recipients may be employed, self-employed or have recently stopped working. Some stakeholders have highlighted that some lone parents who do not have housing costs and have earnings above their Universal Credit amount before they go on to MA will not qualify for SSMG or BSG.

58. Having considered this issue further, the Scottish Government expects that the number of people who receive MA and no qualifying benefit is expected to be low; almost all low income families will qualify for BSG by another route. MA is not means tested and income of spouses and partners is not taken in to account so including MA is likely to extend BSG eligibility to people on higher incomes and undermine the principle that BSG is primarily an intervention for low income families. Adding a test to ensure that an MA recipient is on a low income or does not have a partner would increase administrative complexity and would be disproportionate to the numbers affected. The Scottish Government has therefore decided not to include MA as a qualifying criterion for BSG.

## **Race**

59. We found that ethnicity impacts on family size, with Black and Asian ethnic groups having larger families than white and Chinese ones. At the UK level, 51% of Black African, 65% of Pakistani and 64% of Bangladeshi children live in large families (three or more children), compared to 30% of those in White British families.<sup>19</sup>

60. The qualifying benefits for the BSG will capture more than half of families with 3 or more children. Since welfare reforms in 2011, we have heard from families living on low incomes about the frustration and hardship they experience because the current grant (SSMG) no longer provides support for second or subsequent children. This change to entitlement has particularly affected vulnerable people, who are less likely to be able to plan ahead, and larger families. The Scottish Government's decision to reinstate payments for second and subsequent children is therefore expected to have a positive impact on these groups.

61. We engaged with a Chinese parenting group and attended a Black and Ethnic Minority mothers group at Shakti Women's Aid while we were developing policy. Key messages were about the importance of simple communication, the provision of translation services and the impact on women of having no recourse to public funds. We also engaged with BAME women via One Parent Families Scotland and Saheliya. Feedback confirmed that women from these communities face language and cultural barriers to accessing benefits. They can be vulnerable to social isolation and in some cases rely heavily on support organisations for advice on navigating public sector systems.

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<sup>19</sup> The impact of austerity on black and minority ethnic women in the UK  
<https://www.runnymedetrust.org/uploads/PressReleases/Correct%20WBG%20report%20for%20Microsite.pdf>

62. Some respondents to the consultation highlighted that asylum seekers and refugees were excluded from BSG. Asylum Seekers cannot claim benefits as they have no recourse to public funds. While not equivalent to BSG, the Home Office does provide some support to pregnant women in Scotland who are receiving asylum support. This is £300 to cover the cost of buying clothes and equipment or £600 for twins. There is also a small additional weekly payment of £5 a week for babies under a year, and £3 a week for children aged 1 to 3 years.

63. While we could make BSG payments to these families, the person who receives them would be in breach of their immigration status, leading to potentially severe consequences. Immigration policy is reserved to the UK Government. Scottish Ministers intend to make the case to the UK Government that since BSG seeks to support potentially vulnerable young families, an exception should be made that allows those with no recourse to public funds to access it. Should this succeed, we will amend the regulations to make provision for this group.

64. Those who are granted refugee or humanitarian protection status (after 5 years, they can apply for indefinite leave to remain) can claim benefits and therefore would be eligible for BSG. In some cases, there can be a gap between refugee status being granted and people accessing benefits and housing. Social Security Scotland will therefore consider whether this might have an impact on the evidence requirements during this period.

65. Strategies on how to reach all parents are being explored in the development of communication, engagement and delivery plans for the benefit. Accessible format and support for different languages will be available to ensure all eligible parents have the opportunity to apply for the grant.

### **Gypsy/Traveller Community**

66. Childbirth is very much seen as a female domain within the Gypsy/Traveller community. Traditionally, women would be attended by members of their family and extended social network at the birth of their children.

67. It is now more common for Gypsy/Travellers to give birth in hospitals; however, many do not attend ante-natal and post-natal care because of the barriers to accessing healthcare, as well as concerns that they will be judged by health care professionals and women from the settled community. Communication methods will play a vital role alongside the Social Security Scotland local presence, though this might not be available from the first implementation day of the BSG, it will be once full service is in place. Longer application windows will also present more opportunities to inform people about their entitlement e.g. when the mother gives birth in a hospital or when their child starts school.

## Religion or Belief

68. Families of certain religions or beliefs are also more likely to have larger families. A quarter of Muslim households contained three or more dependent children, compared with 14% of Sikh, 7% of Hindu and 5% of Christian households<sup>20</sup>

69. The qualifying benefits for the BSG will capture more than half of families with 3 or more children. These families will benefit from the introduction of payments for second and subsequent children.

## Sex

70. The majority of lone parent households are headed by women and these households tend to experience higher poverty rates: 41% of children in single parent households were in poverty in 2016/17, compared with 19% of couples with dependent children.<sup>21</sup> The proposed eligibility criteria for the BSG are likely to reach more than 90% of lone parent households.

71. Stakeholders including Engender and Scottish Womens Aid raised 2 related points:

- that there is an imbalance in power in terms of financial resources in the home and that BSG provides an opportunity to mitigate that by paying women in preference to men.
- women are vulnerable to financial abuse and protections are required in the BSG process.

72. We considered whether to make it the default to make the payment to the mother. Child Tax Credits (CTC) are paid to the main carer of children and, historically, this has most often been a woman. In April 2017, at the UK level, 910,000 single households in receipt of CTC were headed by women, whilst 67,000 were headed by a man. In August 2017, approximately 84% of recipients of Child Benefit (CB) in Scotland were female. Since these benefits can only be paid to one person at a time, we conclude that a high proportion of the people who meet the responsibility test will be women.

73. Given that a significant minority of men are the main carer of a child and should therefore receive a payment, we concluded that the additional questioning required to pay a woman in preference to a man in a couple would be disproportionate, would be likely to cause delays and may put people off applying for the payment.

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<sup>20</sup> Comparing larger and smaller families in the UK

[https://populationmatters.org/documents/family\\_sizes.pdf](https://populationmatters.org/documents/family_sizes.pdf)

<sup>21</sup> Characteristics associated with poverty <https://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/IncomePoverty/povertytable>

74. We were not able to identify a way to tackle financial abuse through the design of the BSG. Financial abuse was a concern in relation to using CB to test responsibility for the child as it may mean that the BSG payment does not go to the main carer. We therefore consulted on a responsibility test prioritising recipients of CTC/UC in responsibility for a child. It is a condition of award for these that the child is living with you. However, there were concerns about the reliability of using CTC/UC and risk to uptake due to the 2 child limit on these benefits which might cause confusion. As a result of consultation responses we have therefore decided to add receipt of CB as a way to test responsibility for a child.

75. We plan to raise awareness among Social Security Scotland staff on the indicators of domestic abuse so that they can provide a sensitive service and signpost organisations who can provide support.

76. We identified that 57% of mothers in prison stated that they were 'involved in caring for (any of) their children' before they came into prison.

77. We have held meetings with colleagues in the Justice department, the Scottish Prison Service (SPS) and visited Cornton Vale and HMP Grampian to understand the pathways of offenders and how best we can support them to access a BSG where they are entitled. Once in post, Local Delivery staff will be able to work with the prisons in their area to identify what help and support can be provided to ensure those who are entitled know and are supported to apply, either as they go in to or come out of prison. In the meantime, we will engage with Prison Health Services to help raise awareness of the BSG within prisons.

## **Sexual Orientation**

78. The BSG will be payable to someone who is responsible for a child regardless of sexual orientation.

79. No issues have been raised by stakeholders or through direct engagement with people who might apply for BSG in relation to gender reassignment. We asked for views on this in Early Years Assistance – Consultation on BSG Regulations<sup>22</sup> but no respondents raised any relevant evidence related to the BSG policy and sexual orientation.

## **CONCLUSION**

80. The EQIA process has identified that the BSG has potential to have positive impacts for those who share protected characteristics.

81. We understand groups who share protected characteristics may face difficulties in accessing or understanding their entitlements due to language or other communication barriers. We will ensure information and advice on BSG is as accessible as possible and reaches the full range of people who could benefit from this support, through services used by parents, and in a range of formats.

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<sup>22</sup> Early Years Assistance – Consultation on BSG Regulations  
<https://www.gov.scot/Publications/2018/03/2016>

82. We will ensure there is clear guidance for both decision makers and applications, and for effective promotion of the BSG at all stages to maximise uptake. Widespread training and awareness raising of the BSG will also be required among partner agencies and advice and advocacy services to ensure that appropriate signposting is provided, and that applicants can access the necessary information and be suitably supported throughout the process.

### **MONITORING AND REVIEW**

83. The Social Security (Scotland) Act 2018<sup>23</sup> places a duty on the Scottish Ministers to report annually to the Scottish Parliament on the performance of the Scottish social security system during the previous financial year, including in relation to protected characteristics. Equalities data will be gathered from applicants.

### **AUTHORISATION**

84. I confirm that the impact of the Best Start Grant has been sufficiently assessed against the needs of the equality duty:

<b>Ann McVie</b> Deputy Director Social Security Policy Division	Date this version authorised:  31 August 2018
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<sup>23</sup>The Social Security (Scotland) Act 2018 <http://www.legislation.gov.uk/asp/2018/9/contents/enacted>



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