

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	European Structural Funds Programmes 2014 - 2020	
Minister	Nicola Sturgeon	
Lead official	Cheryl Glen	
Officials involved in the EQIA	name	team
	Cheryl Glen	Future Funds
Directorate: Division: Team	Business, European Structural Funds, Future Funds Team	
Is this new policy or revision to an existing policy?	New Policy	

Screening

Policy Aim

The European Structural Funds (ESF's) are jointly managed between the European Commission and regional and national authorities. The aim of ESF's is to increase employment opportunities for all members of society and in turn positively impact the Scottish economy. Our new 2014-2020 Programmes are fundamentally different to our previous funding periods in that they now aim to contribute to the EU2020 goals of smart, sustainable and inclusive growth.

Who will it affect?

The greatest impact this policy will have is on individuals in society who, due to a variety of factors including gender, disability or race, find it increasingly difficult to gain employment or qualifications. We aim to provide employment opportunities to all members of society regardless of personal characteristics or social circumstances.

Certain groups will be targeted during the next programme period to ensure they receive the specific help they require. These groups include those individuals who are considered furthest from the labour market, those with disabilities and health inequalities and those with caring responsibilities. We

will overcome this barrier through better provisions for childcare and a more in depth understanding of the unique requirements of particular groups.

Scottish Government staff that are responsible for implementing the policy, along with Lead Partners and individual projects funded by the European Structural Funds will all be affected by this policy. They all have an important role to play in successfully implementing the recommendations set out in this Equality Impact Assessment (EQIA) and their continual monitoring throughout the programme period 2014 – 2020.

What might prevent the desired outcomes being achieved?

The structure of the 2014 – 2020 programmes is significantly different from our previous programme periods. This round of funding will see the introduction of Lead Partners who will be ultimately responsible for the continuous monitoring of all projects assigned to them. A failure to achieve outcomes by one project will result in a reduction to funding at the Lead partner level, with potential impacts on other projects managed by them. Therefore there is a substantial amount of responsibility placed on the Lead Partner to ensure all projects achieve their outcomes. The European Structural Funds division will monitor the overall progress through the Lead Partners.

Another factor which may prevent the desired outcomes of the policy being achieved is the amount and diversity of participants applying to take part in each project. We have a system in place to monitor uptake rates and participant characteristics which will minimise the risk of a project not achieving its outcomes. This system will be used to determine if one specific project is only attracting those participants with particular characteristics. For example if a projects participants are mainly young males then we would investigate this to determine why the project is not attracting any female participants. It could be due to caring responsibilities and once this issue is uncovered it can be resolved by offering more support to those who are the primary care giver. Another explanation for a predominantly male participant group however, could be due to the nature of the project. In today's society there are still a vast number of jobs roles which are male dominated; in the same respect there are certain careers which mainly attract females. This is due to the preconceived ideas people have regarding 'gender specific' job roles.

Although ESF's will attempt to address this in the next programme period, it is however a cultural issue which has existed for several generations and may take several more before it is overcome.

Stage 1: Framing

Results of framing exercise

Firstly equality data was gathered relating to each of the protected characteristics which may be impacted by this policy. A variety of sources were used to gather this information including the Scottish Government Equality Evidence Finder, external websites, reports, surveys, technical assistance projects and consultation documents.

Where gaps were identified we looked to our external stakeholders to provide us with their opinion on the positive and negative impacts of our policy on the protected characteristics and possible ways to overcome this.

A consultation document was issued to all external stakeholders who have been involved in ESF previously and may take part in the new programme period. This consultation document asked for comments and ideas relating to equalities in the new programme.

Stakeholders were asked 'Do you think the new proposals will have a positive or negative impact on the protected characteristics and wider issues of inclusion and participation?' and 'If you think there will be a negative impact on the protected characteristics or inclusion and participation please provide suggestions as to what could be done differently to diminish this impact.'

We received a substantial number of responses from several external stakeholders. A list of all respondents is available on pages 27 to 29.

The overall response, as to the proposals having a positive or negative impact, was mostly positive or neutral. However the majority of respondents required further information on the proposals in order to make an informed decision. Due to the fact that the development of certain proposals are still underway, a number of stakeholders had more questions at this stage than answers. We hope the publication of the EQIA and Operational Programmes, once approved by the commission, will go a long way to answering these. Further comments after the publication of this EQIA will still be considered and responded to.

The proposal 'Poverty and Social Inclusion' has been commented on by the majority of stakeholders as being likely to have the most positive impact on the protected characteristics and wider issues of participation and social inclusion.

There has also been a welcomed response to our new approach of monitoring outputs and results, as opposed to financial data. We will still be conducting financial audits however our main focus will be on determining the potential outcomes and results which each project will achieve for individual participants and the Scottish economy.

The key points taken from the respondent's views relating to a possible negative impact on the protected characteristics and issues relating to social inclusion and participation in the new programme can be found under Stage 2 of the EQIA (page 8). These are the personal opinions of our stakeholders.

It is not possible to list all of the suggestions from our stakeholders in this report, however each suggestion will be seriously considered and where possible implemented into our monitoring and evaluation process throughout the new programme period.

A more thorough report on the responses to the consultation document 'European Structural and Investment Funds 2014 – 2020' will be published on the Scottish Government website in due course.

The consultation responses from the Welsh and Northern Irish European Structural Funds were also analysed at this stage and have helped to shape the monitoring process.

Technical Assistance ¹ projects were carried out as a way to learn lessons from the previous programme period and gain a better understanding of particular groups which will be affected by the policy. Evidence was gathered from these reports and has helped to shape the policy going forward. Our Stakeholders will be provided with a copy of all technical assistance reports over the coming months.

External stakeholders also took part in Shadow Strategic Delivery Partnership's. This allowed them the opportunity to say how their programme would contribute to the EU2020 goals of smart, sustainable and inclusive growth through participating in the European Structural Fund Programmes 2014 – 2020. During this activity each lead partner was asked 'How will the programme support and embed the horizontal themes (equality, social inclusion and environmental sustainability)?' The answers provided during this exercise have helped to identify gaps in the lead partner's proposals in relation to equality and also provided new ideas for monitoring the future programmes.

Recommendations and ideas were also gathered from ESF staff and those with previous equality experience.

Finally data from the current programme period 2007 – 2013 was analysed to identify gaps in evidence from this funding period and to determine ways to overcome this during the future programmes.

Throughout the entire process advice on completing the EQIA and best practice was sought from an Equality Impact Assessment expert working for the Scottish Government Equality Unit. The final report has also been approved by them.

¹ Evaluation work carried out to inform the development of the 2014 – 2020 Programmes.

Extent/Level of EQIA required

In preparation for the European Structural Funds new programme period 2014 – 2020 a technical assistance (TA) round was commissioned. This provided the opportunity to assess previous and current practice and learn lessons going forward. It was also the opportunity to gather information in relation to particular aspects of the project which hadn't been covered so thoroughly in the previous programme. Two of the TA projects which are particularly relevant to the promotion of equality in our future programmes are 'Occupational Segregation & Gender Mainstreaming' by Glasgow Caledonian University and 'Playing Our Part in Roma Inclusion Technical Assistance' by Glasgow City Council. The evidence gathered throughout each of these projects and their key findings have heavily influenced the structure of our new policy and greatly increased the positive impact it will have on promoting equality in Scotland today.

Another technical assistance project which will indirectly contribute to the promotion of equality throughout the new programming period is 'Developing Simplified Cost Approaches for Structural Funds' carried out by WOSCOP (West Of Scotland Colleges Partnership) & the Scottish Government. The aim of this project was to reduce the audit burden faced by smaller projects in an attempt to minimise time spent auditing finances and allow more time for qualitative methods of analysis. These qualitative outcomes will consist of social inclusion, equality and environmental sustainability. This new approach to simplified costs in 2014 to 2020 will ensure a stronger focus on monitoring equality and social inclusion and provide sufficient time to assess if there are any problems and how we will overcome these.

The European Structural Funds will also promote social inclusion by funding projects which will increase accessibility to broadband, particularly for those living in rural areas. This will reduce social exclusion and discrimination for those who do not currently have access to these services.

Based on the evidence gathered throughout the EQIA from TA projects, research data and reports and engagement with external stakeholders, we have concluded that the 2014 – 2020 ESF Programmes will have a mainly positive or neutral impact on all of the protected characteristics.

There does not appear to be any real evidence of a negative impact, either directly or indirectly. The policy will help to reduce discrimination and promote equality of opportunity. Strict monitoring and evaluation will be carried out throughout the lifetime of the projects to ensure they uphold the equality rights of each participant. A stronger focus will be placed on promoting employment opportunities to those furthest from the labour market, for example Roma or people with multiple barriers including health inequalities and skills issues, without compromising on the equality rights of other minority groups.

The programmes also aim to reduce barriers faced by those wishing to enter the labour market; this could be people suffering from a disability or lack of

confidence and self-esteem to those with care responsibilities making it difficult for them to gain employment.

Finally the policy will foster good relations between all groups in society. This will be achieved through the diverse range of participants taking part in the projects and their working together to achieve common goals. Also by providing the opportunity for groups like the Roma to become a productive member of society through employment it could help to change the preconceived ideas some of the Scottish people have regarding them, resulting in reduced stereotyping and discrimination of this minority group.

Due to the largely positive impact this programme will have and the significant amount of evidence available in this particular area, no further investigation will be required for this Equality Impact Assessment.

We will however continue to seek advice and suggestions from our stakeholders on improving our monitoring and evaluation processes in relation to the protected characteristics, particularly those who are considered experts in this field.

The first step in this process will be to distribute the EQIA to all internal and external stakeholders asking for further comment. The EQIA will also appear on our Future Funds blog and be made available to the public via our European Structural Funds Website.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic ²	Evidence gathered and Strength/quality of evidence	Source	Gaps identified and action taken
AGE	<p>In 2011, Scotland's unemployment rate for 18-24 year olds was 18.9%, higher than that of the UK as a whole (17.9%).</p> <p>In 2011 in Scotland youth unemployment was higher than for any other age group. Youth employment between April and June 2011 was at 61.4% this is however better than for the UK as a whole (57.2%).</p> <p>Those with the highest employment rate were 35-49 year olds, 82.1% employed between April and June 2011.</p> <p>25-59 year olds make up 23% of those in fulltime education.</p> <p>Women aged 55-59 and men aged 60-64 are least likely to have any qualifications (33%).</p> <p>In 2012 the employment rate for males aged 50-64 was 69.4% and females were 58.8%, this has increased steadily since 2008.</p>	<p>The Position of Scotland's Equality groups – Revisiting Resilience in 2011, Communities Analytical services – http://www.scotland.gov.uk/resource/Doc/1124/0121151.pdf</p> <p>Local Area Labour Markets in Scotland, Statistics from the Annual Population Survey 2011 – http://www.scotland.gov.uk/resource/0039/00396572.pdf</p> <p>Labour Market Briefing September 2013 – http://www.scotland.gov.uk/resource/0043/00433991.pdf</p> <p>Scottish Government Website - http://www.scotland.gov.uk/Topics/People/Equality/Equalities/DataGrid/Age/AgeESLL</p> <p>http://www.scotland.gov.uk/Resource/0042/00421587.pdf</p>	<p>Young people are the largest unemployed group in Scotland today; this is why there is a particularly strong focus on targeting this group throughout the future programme period.</p> <p>This will not indirectly discriminate against the older Scottish generation. They will be given the same opportunities as every other group in society and will have help tailored to meet their specific requirements, particularly in the regions of Scotland where the older workforce is a more significant issue than the younger one.</p>

² Refer to Definitions of Protected Characteristics document for information on the characteristics

	<p>Consultation responses to Age:</p> <p>There should be a stronger focus on active aging, to recognise the aging population and the impact this has on the Scottish economy. Specific reference to this should also be made under the Low Carbon Travel and Transport proposal; particularly how this proposal plans to address the greater demand for public transport by older members of society.</p> <p>Several respondents have commented on the strong movement towards addressing youth unemployment in the 2014 – 2020 programmes and the fear that this will reduce the support and funding received by over 25's.</p>	<p>Responses to 2014 – 2020 Consultation Document</p>	
<p>DISABILITY</p>	<p>In 2011 1,040,000 people had a long-term activity-limiting health problem or disability. This accounted for 20 per cent of the population, the same as the 2001 census.</p> <p>In 2011, 26% of men and 30% of women in Scotland reported a limiting long-term illness or disability. The employment rate for disabled</p>	<p>http://www.scotland.gov.uk/Topics/People/Equality/Equalities/DataGrid/Disability</p>	<p>Analysing this evidence has identified a gap in relation to disability and employment. Young people with a disability are less likely to leave school with the same level of qualifications as someone</p>

	<p>people at this time was 46.3% compared to an overall employment rate of 70.7%.</p> <p>In 2012, 16% of small to medium sized enterprises in Scotland included at least one owner or director with a disability. This figure has not changed since 2007/08.</p> <p>In 2011 the self-employment rate for disabled people was 13.6% compared to 11.1% for non-disabled people.</p> <p>In 2012 21% of the rural population reported having a disability or long term limiting illness compared with 26% in urban areas.</p> <p>23.8% of school leavers with additional support needs achieved one or more Highers or better compared to 60.1% of those with no additional support needs.</p> <p>Consultation Response:</p> <p>There isn't as strong a focus on the protected characteristic of disability compared with gender and age throughout the proposals. There is also a lack of attention paid to the characteristics of sexual orientation, religion, gender reassignment and pregnancy/ maternity.</p> <p>Funding discretely allocated to particular groups, for example disable and under employed.</p>		<p>with no additional support needs. The ESF' s would aim to combat this by providing young disabled participants with the support they may need to gain more advanced qualifications, and including provision for wrap-around support e.g. for college or apprenticeship places.</p>
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<p>SEX</p>	<p>During September 2013 the employment rate for men in Scotland was 76.2%. The employment rate for women at this time was 68.8%</p> <p>The unemployment rate for men over 16 years in Scotland during September 2013 was 7.6% and for women 7.2%.</p> <p>The number of females starting a Modern Apprenticeship in 2012-2013 was 11,040. The number of males during this time was 14,651.</p> <p>The number of females in training for a modern apprenticeship in 2012-2013 was 12,006 and number of males was 23,900.</p> <p>The number of females achieving a modern apprenticeship during this time was 8,538 (76%) and males was 11,383 (77%)</p> <p>Women make up over 90% of the lone parent population. In 2010 the highest percentage of women in the labour market worked in public administration, education and health, which accounted for 46.3%, the lowest percentage worked in the agriculture and fishing industry which was only 0.8%.</p> <p>Of all working age adults, women are more likely than men to be educated to degree level or above, 27% of women compared to 21% of men. A higher proportion of men than women have no</p>	<p>Labour Market Briefing September 2013. Available from http://www.scotland.gov.uk/resource/0043/00433991.pdf</p> <p>Skills Development Scotland Modern Apprenticeship Summary Info. Available from http://www.skillsdevelopmentscotland.co.uk/media/744202/modern_apprenticeships_summary_information_2012-13.pdf</p> <p>The Position of Scotland's Equality groups – Revisiting Resilience in 2011, Communities Analytical services. Available from http://www.scotland.gov.uk/resource/Doc/1124/0121151.pdf</p> <p>Glasgow Caledonian University – Gender Mainstreaming Technical Assistance Report – http://www.scotland.gov.uk/Topics/Business-Industry/support/17404/Post2013CohesionPolicy/Evaluation/EvaluationofSDMs</p> <p>http://www.gcu.ac.uk/wise/wisefacts/</p>	<p>Gaps identified in the 2007-13 programme through the gender mainstreaming TA project:</p> <p>the following 5 characteristics were identified as being crucial to successful implementation of Gender Mainstreaming:</p> <p>Sound baseline data about the relative position of women and men across a range of areas.</p> <p>Clear target setting and indicators for delivery</p> <p>A comprehensive, responsive and clearly communicated monitoring system.</p> <p>On-going training and capacity building at all levels.</p> <p>The systematic use of Gender Impact Assessment – an ex ante method of assessment</p>
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	<p>qualifications.</p> <p>Women are the minority in modern apprenticeships in Automotives (1%); Construction (1%); Engineering (3%); Oil & Gas Extraction (5%); Plumbing (2%); Vehicle Maintenance & Repair (2%)</p> <p>85% of the Care and Personal Service profession is made up of females.</p> <p>44% of women work part time, compared to 13% of men.</p> <p>Statistics for the current programme period relating to lone parents shows 1,894 male lone parents took part during the 2007-2013 programmes. The number of female participants was significantly more, 14,310 took part in the current programme. This evidence will help us to establish the particular needs required by this group. More childcare facilities will be offered to female participants to ensure they are not at a disadvantage compared with male participants who may not have caring responsibilities.</p> <p>Consultation responses:</p> <p>Clear guidance should be provided on the horizontal themes, in particular 'gender mainstreaming' under the equality and social inclusion horizontal theme.</p> <p>Monitoring of horizontal themes should be</p>		<p>that utilises a set of questions to identify and respond to the different situations and needs of women and men.</p> <p>There was also no opportunity on the application form to explain in detail how the project would tackle the horizontal themes.</p> <p>Some projects had a complete lack of awareness regarding gender mainstreaming. Not enough information and guidance on the subject.</p> <p>Some projects had a great depth of understanding regarding gender mainstreaming and integrated it into the day to day running of projects, whereas some were completely unaware and took a more passive approach. There will be a new system introduced in the 2014 – 2020 programmes which will</p>
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	<p>carried out throughout the lifetime of all projects and not only form part of the application and development stage.</p>		<p>allow projects to share ideas and best practice.</p>
<p>GENDER REASSIGNMENT</p>	<p>The Equality Act 2010 defines gender reassignment as a person who is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.</p> <p>In 2007, the Scottish Transgender Alliance found that transgender people in Scotland have a high unemployment rate (37%) and a high self-employment rate (20%).</p> <p>This could be due to discrimination in the workplace resulting in a reluctance to enter the labour market through fear of harassment. Discrimination can take many forms, according to a report by the Equalities Review in 2007 almost 1 in 4 trans people are made to use an inappropriate toilet in the workplace, or none at all, in the early stages of transition. This research also found that 10% of trans people</p>	<p>http://www.glasgow.gov.uk/index.aspx?articleid</p> <p>WHITTLE, S. TURNER, L. AL-ALAMI, M. (2007) Engendered Penalties: Transgender and Transsexual People's Experiences of Inequality and Discrimination. Available from http://www.pfc.org.uk/pdf/Engendered Penalties.pdf</p>	<p>Although we may not be able to ascertain if anyone taking part in the projects are transgender we will still provide as much guidance and information to employers as possible. This will ensure equality for all groups by providing employers with knowledge relating to the barriers and challenges transgender people face.</p>

	<p>experienced being verbally abused and 6% were physically assaulted in their place of work.</p> <p>Discrimination and bullying is also a significant problem within education as well as employment. The Equalities Review report also found that 64% of young trans men and 44% of young trans women experience harassment or bullying at school, not just from fellow pupils but also school staff, including teachers.</p> <p>The European Structural Funds 2007 – 2013 did not include a participant characteristic for sexual orientation or gender reassignment. This has led to a significant gap in the evidence base for this protected characteristic in relation to the current programmes. This is something which the ESF 2014 – 2020 Programmes will address.</p> <p>Although it is important to understand the current situation faced by transgender people in the labour market today it is equally, if not more, important to learn what employers are doing to tackle this discrimination. Employers should be aware of the equality rights protecting transgender people and be able to access guidance on how to ensure these rights are upheld within the workplace. An understanding of the different needs and requirements of a transgender person as an employee could help to reduce discrimination and overcome some of the barriers they face when entering employment and throughout their career. The Future Fund Programmes 2014 – 2020 will require lead</p>		
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	<p>partners to demonstrate how they will ensure equality for all groups within society, including trans gender people. This will be continually monitored throughout the programming period through data collection and case study evidence. Therefore the European Structural Fund Programmes 2014 – 2020 will have a positive impact on the protected characteristic ‘Gender Reassignment’</p>		
<p>SEXUAL ORIENTATION</p>	<p>There is a lack of evidence available in relation to sexual orientation and employment in Scotland. The integrated household survey January to December 2012 experimental statistics showed that 91.2% of 16 – 24 year olds identified themselves as heterosexual/ straight. 1.7% as gay/ lesbian and 1% as bisexual. The number of individuals identifying themselves as gay/ lesbian gradually decreases as the age categories increase. 93% of 35 – 49 year olds consider themselves heterosexual/ straight and 1.5% gay/ lesbian.</p> <p>In April 2009 to March 2010, a higher proportion of gay/ lesbian were in the managerial and professional classifications (48.8%) than heterosexual people (29.7%) or bisexual people (26.5%).</p> <p>68.6% per cent of heterosexual/ straight respondents aged 16 to 24 were in employment compared with 74.5% of gay/ lesbian respondents. Bisexual people were lower with 62.6%.</p>	<p>http://www.scotland.gov.uk/Topics/People/Equality/Equalities/DataGrid/SexualOrientation</p> <p>JOLOZA, T. et al. (2010) Measuring Sexual Identity: An evaluation Report. Office for National Statistics. Available from http://www.ons.gov.uk/ons/rel/ethnicity/measuring-sexual-identity---evaluation-report/2010/index.html</p>	<p>There is a distinct lack of evidence available in Scotland relating to employment and sexual orientation. This can be a sensitive issue for some, making it difficult to gather evidence in this particular area.</p> <p>The European Structural Fund programmes 2007 – 2013 did not gather statistical evidence on sexual orientation and therefore we have no information relating to lesbian, Gay or bisexual participants who took part in the current programmes. This is something which we may need to address during the 2014 – 2020</p>

	<p>This evidence appears to show that heterosexual/ straight members of society are less likely to be in employment compared with those identifying themselves as gay/ lesbian. Bearing this in mind it does not appear that the future 2014 – 2020 programmes will have a negative impact on the protected characteristic Sexual Orientation.</p>		<p>programme period.</p>
<p>RACE</p>	<p>The European Structural Funds have dedicated a substantial amount of time into researching the possible impacts of this new policy on the protected characteristic Race & Ethnicity.</p> <p>Roma inclusion is a priority for ESF, statistically Roma are the largest ethnic minority and most socially excluded group in Europe.</p> <p>There has also been an increase in Roma travelling to Scotland over recent years. Reasons for this could be due to the enlargement of the EU in 2004 and 2006 which saw a substantial number of economic migrants entering the UK.</p> <p>Today there are approximately 4,000 and 5,000 Roma residing in Scotland, the highest proportion of Roma are based in the Govanhill area of Glasgow with an estimate of 3500 living there.</p>	<p>EUROPEAN COMMISSION (2011) Communication from the Commission to the European Parliament, The Council, the European Economic and Social Committee and the Committee of the Regions: An EU Framework for National Roma Integration Strategies up to 2020. Available from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52011DC0173:en:NOT</p> <p>GLASGOW CITY COUNCIL (2013) Mapping the Roma Community in Scotland – http://www.scotland.gov.uk/Topics/Business-Industry/support/17404/Post2013CohesionPolicy/Evaluation/EvaluationofSDMs</p>	<p>Misunderstanding of the Roma culture.</p> <p>A need to change the mind-set of not only the Scottish people but also the Roma.</p> <p>A need for some Roma to learn basic language skills before they can enter the labour market.</p>

	<p>The ever growing presence of Roma in Glasgow makes it essential for ESF to challenge the misunderstanding other members of society have in relation to this minority group. This would hopefully reduce stereotyping, discrimination and promote good relations between different groups in society.</p> <p>The average age of a Roma person is 25 years, compared with 40 across the EU. Children under the age of 15 represent 35.7% of the Roma population compared with 15.7% of the EU overall. With an increasing number of Roma settling in Scotland they now represent a large proportion of our future workforce. The opportunities provided by ESF's will therefore not only have a positive impact on the lives of Roma and future generations, but also the Scottish economy, by ensuring we have people with qualifications and skills needed to make a positive contribution to society.</p> <p>These factors have contributed towards the stronger focus the 2014 – 2020 programmes has towards promoting Roma inclusion and the inclusion of other ethnic minority groups in Scotland.</p> <p>Although there is a strong focus on Roma inclusion during the ESF 2014 – 2020 programmes this will not indirectly discriminate against other ethnic minority groups. Social Inclusion is one of the horizontal themes firmly embedded throughout the entire programme</p>	<p>POOLE, L. et al. Report on the Situation of the Roma Community in Govanhill, Glasgow. Available from http://www.bemis.org.uk/resources/gt/scotland/report%20on%20the%20situation%20of%20the%20roma%20community%20in%20govanhill,%20Glasgow.pdf</p> <p>http://www.scotland.gov.uk/resource/0042/00421188.pdf</p>	
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	<p>period. This refers to all groups in society not only the Roma.</p> <p>Evidence shows that people from an ethnic minority background are more likely to work in distribution, hotels and restaurants than those from a white ethnic background. The ESF's future programmes are an opportunity to understand why this is the case and ensure opportunities for varied employment are open to all members of society. (Annual population survey 2007 – 08)</p> <p>In the same respect the annual population survey also shows that those from an ethnic minority background are more likely to be self-employed. In 2010 the self-employment rate for people from an ethnic minority group was 14% compared to 10.8% for those of white ethnic origin. The ESF's encourages and supports the establishment of small and medium sized enterprises offering all individuals in society equal opportunities to become self-employed.</p> <p>During the current programme period 2007 – 2013 the number of participants forecast to take part in an ESF project from a Gypsy/ Traveller background was 351. The number of participants actually recorded was 70. The 2014 – 2020 programmes hope to increase this number by providing a better understanding of ethnic minority groups, therefore reducing the barriers they face and promoting equality of opportunity.</p>		
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<p>RELIGION OR BELIEF</p>	<p>There is a limited amount of evidence available relating to religion and employment in Scotland.</p> <p>In 2001 the Scottish Government provided statistics on religion and self-employment. Self-employment was highest for Sikhs (33%) and Muslims ((29%) the lowest self-employment rate recorded was for Roman Catholics.</p> <p>In 2011 the economic activity rate and employment rate was highest amongst those identifying their religion as Church of Scotland or no religion. The economic activity and employment rate was lowest amongst Muslim's.</p>	<p>http://www.scotland.gov.uk/Topics/People/Equality/Equalities/DataGrid/Religion</p> <p>The Scottish Government Equality Outcomes: Religion and Belief Evidence Review, 2013 (http://www.scotland.gov.uk/Resource/0042/00420970.pdf)</p>	<p>Religion or belief is not a participant characteristic which is measured by the European Structural Funds, everyone regardless of religion in Scotland is offered the same opportunities to take part in ESF projects.</p>
<p>PREGNANCY AND MATERNITY</p>	<p>There are estimated to be around 440,000 pregnant women in Britain each year. Almost half of these women will experience some form of disadvantage at work, either for being pregnant or taking maternity leave and 30,000 will be forced out of work.</p> <p>One million pregnant women are likely to experience discrimination at work over the next 5 years, if current trend continues.</p> <p>An Equal Opportunities Commission study in</p>	<p>Equal Opportunities Commission, Greater Expectations – Summary Final Report, EOC's Investigation into Pregnancy Discrimination, 2005 - http://www.equalityhumanrights.com/uploaded_files/eoc_pregnancygfi_summary_report.pdf</p> <p>http://www.tommys.org/Page.aspx?pid=377</p>	<p>The European Structural Funds aims to promote equal opportunities for both men and women. We encourage everyone to take part in our projects regardless of whether or not they are pregnant or approaching a period of maternity leave. Although we do not pay statutory sick pay for participants or</p>

	<p>2004 found that 22% of women who made an employment tribunal claim had been dismissed within days, sometimes hours, of telling their employer about their pregnancy.</p> <p>The costs associated with pregnancy, although not easily quantifiable, are a particular issue for small employers. We were informed that pregnancy in a micro-business (less than 10 employees) can spell at best cash flow problems and at worst threat of closure.</p>		<p>staff working on the projects, we would not discourage them from returning to the project or the same position they held after their maternity leave.</p>
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Stage 3: Assessing the impacts and identifying opportunities to promote equality

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – which we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

Do you think that the policy impacts on people because of their age?

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	x			This policy will have a positive impact on all members of society regardless of age.
Advancing equality of opportunity	x			Youth unemployment is the highest age category of unemployed people, by focusing on this specifically it will give more opportunities to young people. This does not mean that older age groups (54+) will face indirect discrimination. They too will be given the help and support specifically suited to their needs.
Promoting good relations among and between different age groups	x			Some projects will target specific age groups others will provide the opportunity for people of all ages to work together and achieve common goals.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	x			An avenue for complaints will be established in an attempt to deal with and eliminate unlawful discrimination, harassment and victimisation within Structural Funds projects if it occurs.
Advancing equality of opportunity	x			The ESF runs projects which are specially targeted towards those with a learning disability or mental health issue. This ensures they are given the same opportunities as other members of society to gain employment and qualifications.
Promoting good relations among and between disabled and non-disabled people			x	Projects are likely to achieve this on an individual level (i.e. for disabled people helped in employment and those non-disabled people they end up working with) however, this impact is unlikely to be scaled up to anything beyond a much localised level by structural funds alone.

Do you think that the policy impacts on men and women in different ways?

Sex (including pregnancy and maternity)	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			By mainstreaming gender equality it will become an essential part of the production and implementation process for all projects. Introduction of care provisions for lone parents will increase opportunities for women to take part in training and enter the labour market.
Advancing equality of opportunity	x			Not encouraging gender specific roles. Opportunities for qualifications and training open to all.

Promoting good relations between men and women	x			Men and women will be treated equally throughout all ESF projects. There will also be a clear focus on gender mainstreaming and aim to reduce gender stereotyping.
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Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	x			<p>The policy will eliminate unlawful discrimination by providing guidance to projects on the barriers faced by transgender people entering the labour market and throughout their career. We will also provide projects with information regarding the equality rights of transgender people which will help to eliminate discrimination.</p> <p>Each project will be required to complete an EQIA which will identify any gaps there may be in their equality processes and give them the opportunity to make positive changes to promote equality.</p>
Advancing equality of opportunity	x			<p>Making employers aware of the barriers faced by a transgender person ensures they have the same opportunities as other members of society. They are not at a disadvantage, particularly in relation to applying for work.</p>

Promoting good relations	x			Providing employers with information regarding the challenges a transgender person may face when applying for work or throughout their career will ensure a greater understanding on the part of employers. It may also encourage transgender people to enter the labour market if they feel they will be better understood and more accepted by their peers.
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Do you think that the policy impacts on people because of their sexual orientation?

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The ESF's do not target certain members of society with a particular sexual orientation. Everyone is afforded the same opportunities.
Advancing equality of opportunity			x	The ESF's do not target certain members of society with a particular sexual orientation. Everyone is afforded the same opportunities.
Promoting good relations			x	The ESF's do not target certain members of society with a particular sexual orientation. Everyone is afforded the same opportunities.

Do you think the policy impacts on people on the grounds of their race?

Race	Positive	Negative	None	Reasons for your decision
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Eliminating unlawful discrimination	x			Providing a greater understanding of Roma religion to lead partners will ensure they are treated equally and given the same opportunities as other members of society.
Advancing equality of opportunity	x			Roma will be given the opportunity to learn the skills and qualifications required to enter the Scottish labour market.
Promoting good race relations	x			This will be achieved by provided employers with a greater understanding of the Roma culture and the particular requirements they have and barriers they face.

Do you think the policy impacts on people because of their religion or belief?

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			x	The ESF's do not measure the participant characteristic religion or belief. Everyone in society is afforded the same opportunity to participate in the programme regardless of religion or belief.
Advancing equality of opportunity			x	The ESF's do not measure the participant characteristic religion or belief. Everyone in society is afforded the same opportunity to participate in the programme regardless of religion or belief.
Promoting good relations			x	The ESF's do not measure the participant characteristic religion or belief. Everyone in society is afforded the same opportunity to participate in the programme regardless of religion or belief.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	Only positive or neutral impacts have been identified.
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ³ ?	The policy is not directly or indirectly discriminatory.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	
If not justified, what mitigating action will be undertaken?	

Describing how Equality Impact analysis has shaped the policy making process

The findings from this EQIA have led to new measures being introduced in our monitoring and evaluation process. Individual projects will now be required to carry out an EQIA as part of their monitoring process; this will ensure each project has an understanding of how their actions may impact on different groups within society. It is an opportunity to identify any gaps in their current process and make the appropriate changes to promote equality and foster good relations between a number of diverse groups. The lead partner will be responsible for ensuring the individual projects complete an EQIA and that it is done to an acceptable standard. Further monitoring of this will be carried out by the European Structural Funds Senior Portfolio Managers.

To ensure a consistently high standard is reached by all projects when completing the EQIA, guidance on conducting EQIA's will be provided to all Lead Partners. It will then be their responsibility to pass this information on to their projects and continually monitor their progress throughout this process.

An important point raised by external stakeholders through the Technical Assistance project 'Occupational Segregation & Gender Mainstreaming' was the distinct lack of attention paid to horizontal themes, in particular equality, in the current application form used by ESF. We have taken this criticism on board and will be changing our application forms to ensure horizontal themes are fully incorporated into the application process as well as the continual monitoring of each project.

The results of this Equality Impact Assessment will not have any implications for the European Structural Funds budget. The EQIA has however helped to identify gaps in our current monitoring process which we now hope to overcome during the 2014 – 2020 programme period.

Finally evidence gathered during this EQIA has provided a greater understanding of the multiple barriers a person may face when attempting to join the labour market. For example a person's age and ethnic background or sexual orientation may be contributing factors to their current employment status. If we are aware of the specific needs this individual has and the challenges they are faced with we are better placed to help them; which in turn provides more positive outcomes for people and communities.

Monitoring and Review

Monitoring and evaluation of the ESF 2014 – 2020 Programmes will be carried out by ESF Senior Portfolio Managers, Lead Partners and individual projects. The European Structural Funds has three horizontal themes which are embedded throughout the development phase of each project and each aspect there-after. The Horizontal Themes consist of Equality, Social Inclusion and Environmental Sustainability.

The ESF Programmes 2014 – 2020 will continually monitor equality throughout the programming period by introducing several new requirements which projects will be obliged to follow. These include:

- Completing an Equality Impact Assessment. This will also allow the opportunity for projects to identify any gaps they currently have in their equality process. Guidance on how to complete EQIA's will be provided to each project to ensure consistency throughout the programme.
- Each project will be required to provide information on the processes they currently have in place to promote equality and to tackle discrimination and bullying if it occurs. We will also monitor all complaints as part of our audit process. This will again allow the opportunity to identify gaps and build on current procedures to ensure a strong focus on equality throughout the lifetime of the project.
- Appropriate guidance will be provided to projects on the protected characteristics and the barriers these particular groups face in relation to employment and education. Also information relating to the specific requirements of individual groups and how these can differ in relation to others will be provided.

The ESF 2014 – 2020 Programmes will impact greatly on the protected characteristic 'Age'. This is due to the Youth Employment Initiative which is one of the key priorities in the new programme. Although there will be a very positive impact on young people in

society this does not mean that the project will indirectly discriminate against the older generation.

Many projects will be focused on helping more mature participants gain the skills they require to re-enter the labour market. For example developing IT skills and ensuring recognition of the experience a more mature person can bring to the labour market.

A gap which the Equality Impact Assessment has identified is the lack of information which has been gathered during the current programming period in relation to Gender Reassignment and Sexual Orientation. During the 2007 – 2013 programmes these were not listed as one of the 'participant characteristics' and therefore no statistics were gathered in relation to this. There is no evidence to show if any participants within these protected groups gained qualifications or employment or if they in fact took part in the project at all. It can be difficult to gather evidence within this particular area due to its sensitive nature. Often people are reluctant to divulge such information through fear of discrimination. The new programme will hope to address this by providing guidance to projects on the barriers faced by transgender people. This will help to promote equality and foster good relations between different groups within society.

The technical assistance project 'Occupation Segregation & Gender Mainstreaming' provided evidence that a number of projects participating in the current ESF programme period were either unaware of the term 'Gender Mainstreaming' all together or did not think of it as an integral part of their monitoring process.

- All projects taking part in the 2014 – 2020 programmes will be provided with guidance in relation to Gender Mainstreaming. We will also encourage them to explain on the application form how they will reduce gender stereotyping and how they aim to attract a more diverse range of participants.
- There will be continual monitoring of the characteristics of participants applying and taking part in projects throughout the programming period. This will help to determine what type of person the project is attracting. If there is a low uptake rate from a specific group, for example female participants, then this will be easily identified and actions can be taken to resolve this.

Those responsible for the continual monitoring of equalities throughout the programme period include Lead Partners, individual projects, the European Structural Funds Senior Portfolio Managers and Monitoring and Evaluation Groups.

Monitoring will take the form of gathering quantitative and qualitative data on all participants taking part in each project. These statistics will provide information on gender, age, ethnicity, employment, education and personal circumstances and barriers which currently prevent individuals from entering the labour market. The statistics will help to identify low participants rates and provide the opportunity to combat this. Qualitative data will be in the form of case studies, assessing the softer skills gained through participating in the project for e.g. increased motivation and confidence in applying for work. Case studies will also provide evidence which could show a reduction in social exclusion for groups furthest from the labour market and an increase in social inclusion. This will be achieved by providing groups like the Roma with the confidence and knowledge to apply for higher paid jobs more suited to their skills.

We aim to establish a forum where all projects and their lead partners can share ideas and best practice. This could include advice on preparing for audit, the opportunity to pose

questions to other projects and ask advice on specific issues. More information on this will appear on our Future Funds Blog in due course.

We will be asking projects to provide case study examples of success stories we can publicise and use to attract future participants; this could also be an opportunity to encourage those who would otherwise be reluctant to take part in the projects.

Finally an avenue for complaints will be established. This will provide participants and anyone else involved in the projects the opportunity to voice any concerns they have regarding discrimination, particularly where they feel this is not being managed appropriately by the project or Lead Partner.

We strongly encourage comments on the EQIA from all of our stakeholders. Please forwarded these to chery.glen@scotland.gsi.gov.uk

Organisations who supplied a response to our consultation document:

Aberdeen City Council
Aberdeenshire Council
Angus Council
Apex Scotland
Argyll and Bute Council
Barnardo's Scotland
Changeworks
City of Edinburgh Council
Comhairle nan Eilean Siar
Convention of Scottish Local Authorities (COSLA)
Creative Scotland
CSGN Support Unit / Central Scotland Forest Trust
Dundee City Council
East Ayrshire Council
East of Scotland European Consortium
East of Scotland Investment Fund Ltd
Edinburgh & Lothians Greenspace Trust
Edinburgh and Midlothian ESF P5 Pipeline Voluntary Sector Providers Group
Engender and Close the Gap
Existing Homes Alliance Scotland
Falkirk Council
Fife Council
Forth Valley & Lomond LEADER
Glasgow City Council
Highlands and Islands Enterprise
Highlands and Islands European Partnership
Includem
Inverclyde Council
Loch Lomond and The Trossachs Community Partnership
Lothians & Fife Green Network Partnership
Midlothian Council
Midlothian Council
Momentum
Moving On Employment Project Ltd
NHS Greater Glasgow and Clyde

NHS Health Scotland
North Ayrshire Council
North Lanarkshire Council
Orkney Islands Council
Perth & Kinross Council
Renfrewshire Council
Renfrewshire Council
Roma Net Local Support Group
Royal Burgh of Tain Community Council
RSPB Scotland
Scottish Borders Council
SCOTTISH COUNCIL FOR VOLUNTARY ORGANISATIONS
Scottish Enterprise
Scottish Environment Protection Agency (SEPA)
Scottish Federation of Housing Associations
Scottish Further & Higher Education Funding Council (SFC)
Scottish Seafood Association
Scottish Wildlife Trust
Scottish Women's Budget Group
Shetland Amenity Trust
Shetland Islands Council
Social Firms Scotland / Senscot
Social Investment Scotland
South Ayrshire Council
South Lanarkshire Council
South of Scotland Alliance
Stirling Council
Strathclyde Partnership for Transport
The Highland Council
The JSSC Group Skills for Justice and Financial & Legal Skills Partnership
Tomorrow's People Trust Ltd.
University of Stirling
University of the Highlands and Islands
VISITSCOTLAND
Voluntary Action Scotland
Volunteer Centre Edinburgh
West Dunbartonshire Council
West Fife Enterprise Limited
West Lothian College
West Lothian Council
West of Scotland European Forum
West of Scotland Loan Fund Ltd
Women's Enterprise Scotland
WOS COP

Stage 5 - Authorisation of EQIA

Please confirm that:

- ◆ This Equality Impact Assessment has informed the development of this policy:

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, sex (including pregnancy and maternity), gender reassignment, sexual orientation, race and religion or belief have been considered, i.e.:
 - Eliminating unlawful discrimination, harassment, victimisation;
 - Removing or minimising any barriers and/or disadvantages;
 - Taking steps which assist with promoting equality and meeting people's different needs;
 - Encouraging participation (e.g. in public life)
 - Fostering good relations, tackling prejudice and promoting understanding.

Yes No

Declaration

I am satisfied with the equality impact assessment that has been undertaken for European Structural Funds Programmes 2014 – 2020 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Shane Rankin
Position: Head of European Structural Funds
Authorisation date: 04/04/2014