

Public Sector Equality Duty in Scotland

Review Consultation

February 2022

INTRODUCTION

Purpose of this consultation:

Scottish Ministers are committed to reviewing the effectiveness of the Public Sector Equality Duty (PSED) in Scotland. After months of research and engagement to identify issues within the Scottish Specific Duties (SSDs)¹, it has become clear that more could be done to improve the regime.

Drawing on our research so far, this consultation now sets out a series of detailed proposals both for legislative changes to the SSDs and changes to the wider implementation environment. The consultation will run from 13 December to 7 March.

We have split this paper into 3 parts:

- Part 1: Seeking views on specific and detailed proposals that we think will improve the current regime, based on evidence and views from stakeholders;
- Part 2: Using the opportunity of this consultation to seek further views from stakeholders and build our evidence base on key issues; and
- Part 3: Providing an opportunity for further and general reflections, and providing information on responding to the consultation.

Throughout this paper there are proposals and questions relating to individual SSDs, as well as key themes that are relevant across all of the SSDs. These include:

- Improving the overall cohesiveness and reducing perceived bureaucracy;

¹ The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended)

- Improving the use of lived experience and participatory policy making;
- Making better use of equality evidence and data; and
- Improving leadership, particularly from the Scottish Government.

This consultation contains both proposals that would likely require regulatory change as well as proposals to improve the wider implementation environment of the duties, including delivering on two key 2021-22 Programme for Government commitments: “Later this year, we will consult on the operation of the Public Sector Equality Duty in Scotland and potential regulatory changes, including a new duty on relevant public bodies to develop accessible and inclusive communications, and expanding existing duties to include reporting on disability and ethnicity pay gaps.”²

Post-consultation:

The responses to this consultation will then inform our suggested improvements to the SSD regulations and implementation environment. We will continue to engage with stakeholders throughout this period. It is our intention that any regulatory changes will come into force in 2025.

We recognise that regulatory change needs to be accompanied by implementation steps, and we will take forward work both generally and through the development of a wider mainstreaming strategy to ensure that new regulations are underpinned by an effective plan for implementation. This will be developed with public bodies and key stakeholders including the Equality and Human Rights Commission and equality advocacy organisations.

² Scottish Government, A Fairer, Greener Scotland: Programme for Government 2021-22 [Programme for Government - gov.scot \(www.gov.scot\)](https://www.gov.scot)

Context

Explaining the Public Sector Equality Duty:

The PSED is a duty on public bodies, and those carrying out public functions, which was created by section 149 of the Equality Act 2010 (the Act), and came into force in April 2011. The PSED obliges public authorities, and those carrying out certain public functions, to have due regard, when exercising their functions, to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Scope of the Review of the Operation of the PSED:

Scottish Ministers have committed to reviewing the operation of the PSED in Scotland, which in effect means reviewing:

- The effectiveness of the SSDs, for which Scottish Ministers have legislative competence; and
- The implementation environment for the PSED in Scotland, in recognition of the fact that regulations alone do not deliver equality, but that factors such as leadership and capacity are critical.

PART 1:

PROPOSALS TO IMPROVE THE SCOTTISH SPECIFIC DUTY REGIME

Seeking views on specific and detailed proposals that we think will improve the current regime, based on evidence and views from stakeholders

Proposal 1: Creating a more cohesive regime and reducing perceived bureaucracy

Background

Some stakeholders think that duties need to be clearer and that they should all connect with one another.

In Wales, public authorities must create a strategic plan. This is a report which explains how they will meet every duty.

Some stakeholders believe listed authorities should use lived experience better when meeting the duties.

Our proposal

The Scottish Government wants to make the duties clearer by explaining them in more detail.

The Scottish Government wants to make listed authorities create a strategic plan which tells people how they will meet all of the duties. This is similar to the approach in Wales.

The Scottish Government wants listed authorities to show how they have used lived experience to meet the duties when they create their report.

Question 1.1:

What do you think about making listed authorities create a strategic plan and show how they have used lived experience?

The Scottish Government wants to change the duties so that organisations make a report every 4 years, instead of every 2 years. This will give organisations more time to collect the information they need. Organisations will be able to report on how they meet all of the duties through this one report.

Question 1.2:

What do you think about letting listed authorities report on all duties in one document, every 4 years?

Currently, the regulations for these duties is separated because it has been amended. The Scottish Government wants to bring all of together so it is not separated and easier to read.

Question 1.3:

What do you think about bringing the law together in one place?

Proposal 2: Embedding Inclusive Communications

Background

Inclusive communication means making sure everyone is able to understand public information, no matter how they choose to communicate.

The Scottish Government is committed to improving and embedding inclusive communication within Government and across the public sector. In March 2021, we published our suite of Equality Outcomes for the current 2021-25 reporting period under the SSDs, which focus on tackling significant inequalities in society. One of those outcomes is focused on inclusive communication and states:

‘By 2025, inclusive communication will be embedded in the approaches of public bodies, with an increased proportion of people in Scotland reporting that their communications needs are being met when accessing public services.’³

Our proposal

The Scottish Government wants to create a new duty that means listed authorities have to use inclusive communication as much as possible.

The Scottish Government wants to do more than just create a new duty. We want to work with public bodies and people with lived experience to create national standards and guidance to help organisations use inclusive communication. We also want to find ways to help listed authorities with the costs that sometimes come with inclusive communication.

³ Scottish Government, Equality Outcomes 2021-25, March 2021 [Equality outcomes and mainstreaming: report 2021 - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2021/03/Equality_outcomes_and_mainstreaming_report_2021_-_gov.scot)

Question 2.1:

What are your views on our proposal to place a duty on listed authorities to embed inclusive communication proportionately across their work?

Proposal 3: Extending pay gap reporting to include ethnicity and disability

Background

Currently under regulation 7 of the SSDs, listed authorities must publish gender pay gap information every 2 years. This is the percentage difference among its employees between men's average hourly pay (excluding overtime) and women's average hourly pay (excluding overtime). Listed authorities should use this information to make evidence-based decisions to improve gender equality in Scotland.

In our Programme for Government, we committed to consulting on extending the duty outlined to require listed authorities to also publish ethnicity and disability pay gap information.

It is important to note that regulation 8: "Duty to publish equal pay statements, etc." requires listed authorities to publish an equal pay statement and occupational segregation statement, every 4 years, in relation to their employees between:

- "Women and men;
- People who are disabled and people who are not disabled; and
- People who belong to a minority racial group and people who do not."

While this is different to publishing pay gap information, some listed authorities have reported that they already voluntarily report on their ethnicity and disability pay gaps through the mechanism of their equal pay statements.

Our proposal

The Scottish Government proposes to extend the current duty on gender pay gap reporting to include ethnicity and disability.

This would require listed authorities to publish information on their pay gap between disabled people and non-disabled people, and people who fall into a minority racial group and people who do not.

The Scottish Government will also encourage listed authorities to publish disaggregated pay gap information where possible. We also propose to improve standardisation by prescribing the formulas listed authorities should use to calculate each of their pay gaps.

As per Proposal 1, listed authorities would also be required to report on how they have met and implemented this duty as part of their overarching mainstreaming reporting duty.

Question 3.1:

What are your views on our proposal to require listed authorities to publish ethnicity and disability pay gap information?

Question 3.2:

Should the reporting threshold for ethnicity and disability pay gap reporting be the same as the current reporting threshold for gender pay gap reporting (where a listed authority has at least 20 employees)?

Question 3.3:

What are your views on the respective formulas that should be used to calculate listed authorities' gender, ethnicity and disability pay gaps?

Proposal 4: Assessing and reviewing policies and practices

Background

Regulation 5: 'Duty to assess and review policies and practices' requires listed authorities to assess the impact of applying a proposed new or revised policy or practice against the needs of the PSED, i.e. the need to advance equality of opportunity, eliminate discrimination and foster good relations.

In making the assessment, a listed authority must consider relevant evidence relating to persons who share a relevant protected characteristic and take account of the results of their assessment when developing the policy. Listed authorities must also publish the results of the assessment "within a reasonable period".

In practice, this regulation has given rise to the regime of conducting equality impact assessments (EQIAs).

Through our engagement to date, we have identified several issues with this duty:

- Some people believe this has become centred on completing a form rather than real considerations for the development of better policy.
- Impact assessments are often carried out too late and so don't meaningfully shape and inform policy;
- Impact assessments sometimes use little evidence and don't engage with people with lived experience;
- Strategies and high level policy is not always impact assessed;

Our proposal

The Scottish Government proposes to adjust the duty to assess and review policies and practices to emphasise that assessments must be undertaken as early as possible in the policy development process and should aim to test ideas prior to decisions being taken to ultimately make better policy for people.

The Scottish Government also proposes to strengthen the duty to assess and review policies and practices to require the involvement of people with lived experience, or organisations who represent them.

Question 4.1:

What are your views on the proposal outlined above?

Question 4.2:

The Scottish Government recognises that improving the regime around assessing and reviewing policies and practices will take more than regulatory change.

How else could improvements be made?

Question 4.2:

What are your views on the current scope of policies that should be assessed and reviewed under regulation 5?

Proposal 5: A new equality outcome setting process

Background

Regulation 4: ‘Duty to publish equality outcomes and report progress’ requires listed authorities to publish a set of equality outcomes, every 4 years, which it considers will enable it to better perform the equality duty. Listed authorities must take steps to involve persons with relevant protected characteristics in setting these outcomes and must report on progress to achieve outcomes every 2 years.

Analysis conducted for the EHRC of the outcomes published in 2018 found that many lacked a focus on producing change for people with protected characteristics. The report found “very limited evidence of positive change directly impacting people with protected characteristics available from progress reporting on equality outcomes for the 2013-2017 cycle.”⁴

Engagement with duty bearers and equality advocacy groups indicated that lack of clarity and focus continue to be a concern.

Overall, a key theme in our engagement to date, was that more leadership could be shown from the Scottish Government in relation to the equality outcome setting process.

Our proposal

The Scottish Government proposes to take on more of a leadership role in setting national equality outcomes, which listed authorities could then adopt to meet their own equality outcome setting duty. If a listed authority chose not to adopt the national equality outcomes, they would still be required to set their own equality outcomes. This would require the Scottish Government to:

⁴ EHRC, Research Report, Effectiveness of the PSED Specific Duties in Scotland [Effectiveness of the PSED specific duties in Scotland \(filesusr.com\)](https://filesusr.com)

- Set national equality outcomes, taking a collaborative approach ensure that outcomes were pertinent to the ambitions of relevant listed authorities;
- Ensure the national equality outcomes are measurable and link to the National Performance Framework; and
- Involve people with lived experience, and work with the organisations who represent them, when developing national equality outcomes, providing information on how they have taken account of that involvement in their development.

Listed authorities would retain scope to set their own equality outcomes, and in this event, they too would be obliged to involve people with lived experience, or the organisations who represent them, when developing their equality outcomes, and to provide information on how they have taken account of that involvement in their development. Listed authorities would also be required to ensure their outcomes link to the National Performance Framework.

Question 5.1:

What are your views on our proposal for the Scottish Government to set national equality outcomes, which listed authorities could adopt to meet their own equality outcome setting duty?

Proposal 6: Improving duties relating to Scottish Ministers

Background (Regulation 6A)

Regulation 6A requires that Scottish Ministers must take steps to gather information on the relevant protected characteristics of members of a listed authority and to provide that information to the authority. An authority must use information received to better perform the PSED.

The policy rationale behind this regulation was to increase board diversity across the public sector. One key concern is that due to the small number of members on some boards, there are concerns that individuals could be identified on the basis of their protected characteristics via the publication of mainstreaming reports.

Regulation 11 gives Scottish Ministers the power to require a listed authority to consider specific matters from time to time, while carrying out its duties under the SSDs.

This regulation has never been used by Scottish Ministers. The policy rationale behind this regulation was to enable Ministers to take a leadership role and direct listed authorities to consider matters that Ministers viewed as important, but were not already covered specifically by the duties.

Regulation 12 places a duty on Scottish Ministers to publish proposals for activity to enable a listed authority to better perform the equality duty. Proposals must be published at intervals of not more than 4 years, and Scottish Ministers must report on progress on this.

To comply with this, in 2013, the Scottish Government published a set of proposals to enable better performance of

the Public Sector Equality Duty⁵, and reported on progress in 2015. However, the Scottish Government has not used it since until publishing this consultation. The Scottish Government acknowledges the requirement to meet all its legal obligations and will reflect on effective compliance with this regulation going forward, in addition to the feedback received through this consultation on how this regulation can be leveraged to improve leadership and drive improvement.

Our proposal

The Scottish Government proposes to simplify the Regulation 6A process to require listed authorities to gather information on the relevant protected characteristics of members of a listed authority, as part of their own duties on data collection. Listed authorities would then be required to set out how they plan to use the information they have required as part of their overarching mainstreaming reporting obligation (see proposal 1). Listed authorities would not be required to set out the breakdown of the board by protected characteristic, unless they could do this without individuals being identified on the basis of their protected characteristics.

The Scottish Government proposes to retain key elements of the current Regulations 11 and 12 to ensure we have scope to direct listed authorities to consider other matters, or to propose activity to enable better performance, so that we and listed authorities can respond to any arising issues that may not have been foreseen when, for example, setting national equality outcomes.

⁵ Scottish Ministers' proposals to enable the better performance of the Public Sector Equality Duty 2013-2017, December 2013 [Scottish Ministers' Proposals to Enable the Better Performance of the Public Sector Equality Duty 2013-2017 \(webarchive.org.uk\)](http://webarchive.org.uk)

Question 6.1:

What are your views on the Scottish Government's proposal to simplify the Regulation 6A process?

Question 6.2:

What are your views on the proposal in relation to Regulations 11 and 12?

Question 6.3:

In 2019, the First Minister's National Advisory Council on Women and Girls recommended that Scottish Ministers deliver an Annual Statement, followed by a debate, on Gender Policy Coherence to the Scottish Parliament. In our response to this we said we would: "Consider the merits of aligning delivery of a statement and debate with the existing legal duty on Scottish Ministers to publish a report on progress to better perform the PSED under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012".

What are your views on this?

Proposal 7: Procurement

Background

Regulation 9 requires listed authorities to have due regard to whether the award criteria should include considerations to enable it to better perform the equality duty in procurement processes. The Scottish Government believes that procurement is an effective lever to influence change, and could be utilised further across the public sector.

Some stakeholders have highlighted that requiring listed authorities to publish information in relation to their procurement duty could strengthen the regime, as it would improve transparency and accountability in relation to meeting this duty, and thus make it easier to enforce by EHRC.

Some stakeholders have also recommended that award and tender specifications should stipulate that all outputs of any work must meet the requirements of the PSED and specify examples

Our Proposal

As per proposal 1, the Scottish Government proposes to require listed authorities to set out how they plan to meet all of their duties, and then subsequently to report on how they have met and used all of their duties, as part of their overarching mainstreaming reporting obligation. This would include the duty on procurement, and therefore satisfy the suggestions put forward by stakeholders to strengthen the procurement duty by implementing a publication aspect.

The Scottish Government would welcome views on the call from stakeholders to require that award and tender specifications should stipulate that all outputs of any work must meet the requirements of the PSED and specify examples.

Question 7.1:

What are your views on our proposal and call for views in relation to procurement?

PART 2:

EXPLORING FURTHER AREAS

Using the opportunity of this consultation to seek further views from stakeholders and build our evidence base on key issues

8. Intersectional and disaggregated data analysis

In their 2020 Report and Recommendations, the First Minister's National Advisory Council on Women and Girls called on the Scottish Government as part of the current review of the SSDs to place an additional specific duty on listed authorities to: "Gather and use intersectional data, including employment and service-user data, to advance equality between protected groups, including men and women".

There are some concerns expressed around listed authority capacity and capability to improve data collection effectively in the short term. However, we do not yet have a strong sense of stakeholder views on this specific issue, and therefore we are seeking to use this consultation to gather more views from stakeholders on this issue and on the feasibility of mandating intersectional and disaggregated data analysis throughout the SSDs.

Question 8.1:

The First Minister's National Advisory Council on Women and Girls called for the Scottish Government to place an additional duty on listed authorities to "gather and use intersectional data, including employment and service-user data, to advance equality between protected groups, including men and women"?

(a) What are your views on this?

(b) How could listed authorities be supported to meet this requirement?

Question 8.2:

[Question directed specifically to listed authorities]

(a) If there was a requirement for your organisation to “gather and use intersectional data, including employment and service-user data, to advance equality between protected groups, including men and women”, would you be confident your organisation could comply with it?

YES/NO

Routing depending on answer to part (a).

(b) If yes, why?

(b) If no, what would you need to ensure you could comply by 2025?

9. Intersectional gender budget analysis

Gender budgeting, sometimes called gender-sensitive or gender-responsive budgeting, is a way of analysing the budget for its effect on gender equality. The National Advisory Council on Women and Girls defines it as “a means of preparing budgets or analysing them from a gender perspective”.

Gender budgeting does not mean that there should be separate budgets for women, or that money should be divided equally between women and men, but acknowledges that spending and taxation can affect women and men differently because of their different situations, needs and priorities, including how they experience paid and unpaid work, access education, and use services. Gender budgeting can help to examine and restructure revenue and spending decisions in order to eliminate unequal outcomes between women and men.

The First Minister’s National Advisory Council on Women and Girls has recommended that the Scottish Government “integrate intersectional Gender Budget Analysis into the Scottish Budget process, and to give this a statutory footing”. In relation to the SSDs, the National Advisory Council on Women and Girls called for the Scottish Government to “place an additional duty on listed authorities to integrate intersectional gender budget analysis into their budget setting procedures.”

Question 9.1:

The First Minister’s National Advisory Council on Women and Girls’ called for the Scottish Government to integrate intersectional gender budget analysis into the Scottish Budget process, and to place this on a statutory footing.

What are your views on this?

Question 9.2:

The First Minister's National Advisory Council on Women and Girls' called for the Scottish Government to place an additional duty on listed authorities to integrate intersectional gender budget analysis into their budget setting procedures.

(a) What are your views on this?

(b) How could listed authorities be supported to meet this requirement?

Question 9.3:

[Question directed to listed authorities]

(a) If an additional duty was placed on your organisation to integrate intersectional gender budget analysis into its budget setting procedures, would you be confident your organisation could comply with it?

YES/NO

Routing depending on answer to part (a).

(b) If yes, why?

(b) If no, what would you need to ensure you could comply by 2025?

10. Coverage

This section relates to which public bodies are covered by the PSED and the SSDs.

The bodies subject to the SSDs are specified in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended) – which includes many, but not all of the bodies listed at Part 3 of schedule 19 of the 2010 Act.

Scottish Ministers have competence to add relevant Scottish public authorities to the SSDs who are already subject to the PSED. Further, Scottish Ministers could also add relevant Scottish public authorities to Part 3 of schedule 19 of the 2010 Act (so that they become subject to the general PSED), and could consequently make them subject to the SSDs.

There has been calls from the First Minister's National Advisory Council on Women and Girls and EHRC to mandate all Scottish regulators, ombudspersons and oversight bodies to advance equality and rights. Additionally, EHRC have also expressed the view that regulatory bodies, as part of their own compliance with the SSDs, should be encouraged to do more to improve PSED performance in their sector. However, this would not mean conferring any of EHRC's enforcement powers on these bodies.

Question 10.1:

(a) In your view, are there any Scottish public authorities who are not subject to the PSED or the SSDs that you think should be?

YES/NO

(b) If YES, please give detail on which Scottish public authorities you think should be subject to the PSED or SSDs.

Question 10.2:

EHRC have expressed the view that regulatory bodies, as part of their own compliance with the SSDs, should be encouraged to do more to improve PSED performance within their sector.

What are your views on this?

11. Strengthening leadership and accountability and enhancing capability, capacity and culture

Throughout our engagement to date, stakeholders have put forward the following suggestions which are relevant to this area. These include better funding, protected budgeting, more training, and improved forums for sharing best practice. Stakeholders have also suggested that public bodies should appoint accountable officers who would provide internal advice, guidance and competence building.

The Scottish Government believes that these issues and suggestions need explored further and we do not think a statutory footing is the best approach at this stage. We will consult further on these matters when we consult on the mainstreaming strategy in 2022. However, stakeholders are welcome to share views on how these aspects might be addressed through the PSED review.

Question 11.1:

The Scottish Government will consult on the issues in this section further through the mainstreaming strategy. However, if you think any of these matters could be addressed through the PSED review, please give details here.

12. Guidance

As the relevant enforcement body, EHRC provides guidance to assist listed authorities in complying with the SSDs. With revised duties, there will be a requirement for refreshed guidance which EHRC will produce.

Through our engagement to date, there have been calls for updated and improved guidance. These calls included:

- More prescriptive step-by-step technical guidance;
- Consolidating guidance and increased use of clearer language throughout all supporting documents; and
- Strategic guidance which reaffirms how compliance with the duties relates to the general PSED.

Throughout this consultation paper, we consider we have put forward proposals for more prescriptive regulations and a more cohesive regime, we hope that this in turn will make it easier for improved guidance to be created.

Question 12:

What would you like to see in improved revised guidance for the SSDs?

13. Positive action

EHRC has expressed the view that listed authorities should report on how they have used positive action under section 158 of the Equality Act 2010, as part of their reporting obligations.

EHRC has provided a helpful summary of section 158:

“If an employer reasonably thinks that people sharing a certain protected characteristic suffer a disadvantage connected to that characteristic or have different needs, or if their participation in work or other activity is disproportionately low, an employer can take any action (which would otherwise be discrimination against other people) which is a proportionate means of enabling or encouraging those people to overcome or minimise their disadvantage or to participate in work or other activities or meeting their needs. For example, an employer can put on training courses exclusively for workers with a particular protected characteristic.”

The Scottish Government would like to use this consultation to seek more views on this issue.

Question 13:

EHRC have expressed the view that listed authorities should report on how they have used positive action under section 158 of the Equality Act 2010, as part of their reporting obligations.

What are your views on this?

PART 3: OVERALL REFLECTIONS

Providing an opportunity for further and general reflections, and providing information on responding to the consultation

14. Overall reflections

Question 14.1:

Overall, what are your reflections on the proposals set out by the Scottish Government and the further areas explored?

Question 14.2

Please use this box to provide any further information that you think would be useful, which is not already covered in your response.

15. Responding to this Consultation

We are inviting responses to this consultation by 7 March 2022.

Please respond to this consultation using the Scottish Government's consultation hub, [Citizen Space](#). To access and respond to this consultation online, please see follow the link to the [consultation webpage](#) on Citizen Space. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 7 March 2022.

If you are unable to respond using our consultation hub, please complete the Respondent Information Form to:

Mainstreaming Policy Team
Scottish Government
Area 3H - NORTH
Victoria Quay
Edinburgh, EH6 6QQ

Handling your response

If you respond using the consultation hub, you will be directed to the About You page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document.

To find out how we handle your personal data, please see our [webpage on privacy policy](#).

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public on our consultation hub, [Citizen Space](#). If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or email to joe.smith@gov.scot

Scottish Government consultation process

Consultation is an essential part of the policymaking process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online by using the Scottish Government's consultation hub, [Citizen Space](#). Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.

16. Respondent information form



Scottish Government
Riaghaltas na h-Alba
gov.scot

Please Note this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our [webpage on privacy policy](#).

Are you responding as an individual or an organisation?

Individual

Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
- No



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