



CANDIDATE PACK

Closing date: Sunday, 3 October
2021 at midnight

CHIEF NURSING OFFICER

IRC89311

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WELCOME FROM THE PERMANENT SECRETARY

Thank you for your interest in joining the Scottish Government – I'm delighted that you want to be part of our team.

This is both a challenging and exciting time for Scotland and the Civil Service. The Scottish Government has been at the forefront of leading the country's response to the Coronavirus pandemic, post-Coronavirus recovery, and preparing for EU withdrawal whilst also continuing to deliver vital public services. All of our work has a direct impact on the lives and wellbeing of Scotland's citizens. Strong inclusive leadership, teamwork and flexibility have been, and will continue to be, key to our success. This is why I am looking for passionate people who can lead diverse teams and respond quickly, effectively and compassionately to challenges and change making sure our policy aims are deliverable. What else do I look for in my leaders? I am looking for people from all backgrounds who can role model our values, work across organisations and boundaries and translate strategic vision into a clear common goal. A key part of your role as a Scottish Government leader will be building a kind and inclusive culture where all staff can contribute and feel valued whilst delivering the Government's agenda. I am looking for leaders who ensure all team members feel they are treated fairly, have a sense of belonging and are inspired to bring their best to work every day.

[The Scottish Government Leadership Framework](#) provides more detail on what we are looking for in our senior leaders. The framework is centred around inclusive leadership and has been designed to ensure consistency and rigour in our selection process. It should also help you to consider whether you are ready to join the Senior Civil Service and whether the organisation will be a good fit for you.

If the challenge of this role excites you and you think you have the integrity, skills and experience to fulfil it, I look forward to hearing from you.

Leslie Evans

Permanent Secretary, Scottish Government



Image: Leslie Evans, Permanent Secretary





DIVERSITY AND INCLUSION

“For the Scottish Government properly to serve the citizens of Scotland, it’s vital that we are a welcoming and inclusive employer. We are actively seeking colleagues committed to that journey, determined to improve diversity and to create a culture where everyone’s experience and perspectives are valued.”



Image: Lesley Fraser

Lesley Fraser, Director General, Corporate

Our ambition is to be a world-leading, diverse and inclusive employer where people can be themselves at work. We are committed to building a workforce of people with a wide range of backgrounds, perspectives, and experiences, who are valued for their unique contributions in an environment that is respectful, supportive and free of discrimination, harassment or bullying. That means a workforce that includes people of different age groups, socio-economic backgrounds, faith and beliefs. People who are trans, disabled, from minority ethnic backgrounds. People who identify as lesbian, gay or bisexual or another sexual orientation. A workforce that is representative of the people of Scotland.

We know that to do this, we need an inclusive culture. Work to continually improve our organisational culture has led us to the Scottish Government’s new vision, [‘In the service of Scotland’](#). Five core values underpin this vision: integrity, inclusivity, collaboration, innovation and kindness.

As a Scottish Government leader you will play a key role in realising this vision and in building our inclusive organisation. Inclusive leadership will be at the heart of what you do and how you do it – both as a champion and as a role model. In practice this means positively valuing different perspectives and skills and making sure that we make full use of these unique contributions. It means developing a working environment where all staff at all levels are valued and respected, and where discrimination, bullying, promotion of negative stereotyping and harassment are not tolerated.

We employ people on the basis of their merit – their skills, aptitudes and attitude. We would particularly welcome interest from women and individuals from those groups currently under represented at this level. I hope it is reassuring that selection panels for Senior Civil Service appointments now include at least one panel member with an ethnic minority background or a disability, and we always aim for a gender balance on panels. We support individuals with a disability throughout the application and selection process, and when taking up post. We also welcome applications from those who wish to work an alternative pattern, including those who would like to job share, and would be happy to discuss options with you.





SCOTTISH GOVERNMENT

Scottish Government - Scotland's Civil Service

Scottish Government is at the centre of Scotland's network of public services and institutions, working to make Scotland a more successful country and a better place to live. We are responsible for over £40 billion of expenditure each year. This provides the public services used every day by the citizens of Scotland including health, education, justice, housing and social security.

The Scottish Government continues to grow and develop. Our collective aim is to improve progress towards the realisation of national performance outcomes as expressed in the [National Performance Framework](#). Working with the Parliament, partners, communities and citizens the core purpose of this work is to:

- create a more successful country
- give opportunities to all people living in Scotland
- increase the wellbeing of people living in Scotland
- create sustainable and inclusive growth
- reduce inequalities and give equal importance to economic, environmental and social progress

When doing this we are guided by the following values:

- to treat all our people with kindness, dignity and compassion
- to respect the rule of law
- to act in an open and transparent way

This new role is pivotal to creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing and sustainable and inclusive economic growth.

Senior Management Structure

The Permanent Secretary is the most senior civil servant in Scotland. There are seven [Directors-General](#) with strategic responsibilities for: Corporate; Economy; Scottish Exchequer; Health and Social Care; Education and Justice; Communities; Constitution and External Affairs. They are joined on the Executive Team by the Director for People, Solicitor to the Scottish Government, Chief Financial Officer, Director for Communications & Ministerial Support and Director for Equality, Inclusion and Human Rights.





A Director-General oversees a number of Directorates and Agencies, which are headed up by Directors. Directorates will in turn be divided into Divisions, each of which is headed up by a Deputy Director. Under Divisions are Teams or Units.

The Executive Team (ET) is responsible for providing leadership and direction to ensure that the organisation can deliver its goals. The team is collectively and individually accountable for the organisation's strategy and performance, ensuring that the staff and resources of the Scottish Government are best used to respond to ministerial priorities and deliver the best service possible for the people of Scotland. Further information about the Scottish Government, can be found [here](#).

The Scottish Government's [National Performance Framework](#) provides information on how Scotland can work together to achieve the national outcomes.

NHS Scotland is a complex organisation made up of 22 individual NHS Boards, each with its own board of governance, accountable to Scottish Ministers and supported by the Scottish Government Health and Social Care Directorates. NHS Boards employ around 160,000 members of staff and are responsible for expenditure of around £15 billion per year with around two thirds delegated to 31 Integrated Joint Boards (IJBs). NHS Boards have governance responsibilities ranging from protecting, improving and maintaining the health of the population to the planning and delivery of safe, effective, sustainable, efficient and good quality NHS services in their areas.

Integration Authorities were established in 2015 and are responsible for around £9 billion of funding for local services, previously managed separately by NHS Boards and Local Authorities. With a greater emphasis on joining up services and focussing on anticipatory and preventative care, integration aims to improve care and support for people who use services, their carers and their families.

Our vision is for people to live longer, healthier lives at home or in a homely setting. Achieving this will not only mean ensuring continued investment in high quality integrated services, but also the transformation of the way we deliver health and social care to drive improved performance. Published in December 2016 the [Health and Social Care Delivery Plan](#) sets out our programme to further enhance health and social care services. To realise these aims, NHS Boards are working together with other partners to think about how we plan and deliver health and social care services nationally, regionally and locally. That partnership working is especially important when we face new or emerging challenges such as the Covid-19 pandemic. It means we must work together, seamlessly across boundaries, while retaining our values and our focus on those who depend on health and care services.





[Annual Operational Plans](#) (AOPs) are intended to provide Scottish Government with confirmation that NHS Boards and their partners have plans in place to demonstrate how they will continue to deliver safe and accessible treatment and care and fully deliver Ministerial priorities. The plans will continue to represent the agreement that sets out how NHS Boards will deliver the Cabinet Secretary's priorities on waiting times improvement, investment in mental health, service transformation and contribute to the delivery of greater progress and pace in the integration of health and social care.

You might find it useful to view [NHS Recovery Plan \(2021-2026\)](#) which sets out how the NHS is going to aim to address the backlog in care and meet ongoing healthcare needs.

You may also find it helpful to consider the [Independent Review of Adult Care in Scotland](#), and the [National Care Service for Scotland](#) consultation document which set out the vision and proposals to improve the way we deliver social care in Scotland.

For more information about NHS Scotland, please visit www.scot.nhs.uk.





THE ROLE



Image: Exterior of Victoria Quay building, Edinburgh

LOCATION: Edinburgh (with some travel required)

GRADE AND SALARY: SCS2, £105,500-113,800

CONTRACT TYPE: Indefinite contract on standard Civil Service terms

If applicable, a fixed-term secondment from your current employer will also be considered

The Chief Nursing Officer (CNO) is responsible at national level for all matters that relate to the professional leadership of nurses and midwives across Scotland. Given the impact of the professions on improving health and delivering world class safe and effective healthcare, it supports the achievement of the best health and care outcomes by providing transformational leadership of the professions.

The successful candidate will also have responsibilities in relation to Healthcare Associated Infection and Antimicrobial Resistance (HCAI & AMR), commissioning of undergraduate nursing & midwifery education, policy on regulation of all healthcare professionals, Health and Care Staffing (Scotland) Act, supporting a range of Chief Professional Officers including the Chief Allied Health Professions Officer (CAHPO) and Chief Healthcare Science Officer (CHCSO), as well as oversight of Healthcare Environment Inspectorate (HEI) and inspection of older people in hospitals and the Health & Care Staffing (Scotland) Act.

As a Director of the Scottish Government, the CNO will be accountable to the Director General Health and Social Care and Chief Executive NHS Scotland and as a member of the Health and Social Care Management Board, will participate fully in the corporate management of the Scottish Government Health Directorates.

The successful candidate will also have a clear responsibility of part of the leadership team to drive forward delivery of the Scottish Government objectives for Health and Social Care as well as the National Performance Framework. They will provide leadership of the Nursing & Midwifery professions within Scottish Government and externally, collaborating effectively





with senior leaders across NHS Boards, Scottish Universities and Colleges, Council of Deans, Trade Unions, Professional Organisations, Integrated Joint Boards, Care Home sector, UK government directorates, UK wide professional organisations, the Nursing Midwifery Council and other UK wide regulators, as well as other partners to support and ensure the delivery of Scottish Government Priorities.

This position will have responsibility for approximately 65 staff and a budget of £174 million.

CURRENT PRIORITIES

- Provide high profile leadership of the professions across Scotland, focussing on our response to Covid and the recovery of health and care services.
- Work in partnership with other Chief Professional Officers to ensure the safe delivery of services and reduce inequalities.
- Engage with and be influential on solutions to delayed discharges, community packages of care and overall service pressures. Bringing creative and workable solutions on winter planning to protect services in social, community and acute care and the wellbeing of the workforce.





KEY DUTIES AND RESPONSIBILITIES

The CNO will provide high quality, comprehensive and well considered advice to Scottish Ministers and the Director General on all matters pertaining to the portfolio.

Their responsibilities include to:

- Ensure high profile leadership of the professions across Scotland and delivering the Nursing Vision 2030.
- Work in partnership with other Chief Professional Officers in SG to ensure the delivery of improved population health and of safe, effective and person centred care as well as reducing inequalities.
- Providing leadership of HCAI and AMR to improve outcomes with regard to reducing infections and anti-microbial resistance.
- Ensure leadership of Scottish Midwives to support the delivery of Best Start.
- Providing advice to ministers on commissioning of undergraduate nursing and midwifery programmes across Scotland, in particular ensuring attainment of Scottish Government targets on widening access.
- Provide leadership to NHS Board executive Nurse Directors across Scotland to ensure achievement of Scottish Government objectives.
- Take forwards work with regards to HEI and inspection of older people in hospital.
- Support a range of Chief Professional Officers including the Chief Allied Health Professions Officer (CAHPO) and Chief Healthcare Science Officer (CHCSO) to ensure the CAHPO and CHCSO have opportunities to contribute to wider SG policy and delivering of objectives.
- Lead, motivate and empower staff in their Directorate, supporting their development and health and wellbeing.





ESSENTIAL CRITERIA

Specialist Expertise

Professional qualifications and experience

- You must be a nurse, fully registered in the UK with the Nursing and Midwifery Council.
- Professional experience of leading and developing Nursing and Midwifery professional workforce, in particular to find creative and imaginative ways to develop sustainable services;

Leadership Framework

Leading collectively

- Taking an effective whole system approach to complex, dynamic issues; actively developing wide networks, breaking down and collaborating across barriers to deliver outcomes, with a demonstrable ability to win and maintain the confidence of senior internal and external stakeholders, including Ministers with your leadership, judgement and commitment to delivery
- Being a visible corporate leader, influencing and supporting corporate activities and goals as a member of a senior team, representing the Scottish Government with credibility and operating with sensitivity and political astuteness;

Developing others

- Embedding an inclusive, learning culture in your teams, where change is seen as an opportunity, trusting and empowering others and enabling high performance and innovation;
- Ability to actively manage wellbeing and create an environment where diversity of thinking and perspective is both valued and nurtured and ability to lead, motivate and inspire staff and a wide range of partners and stakeholders at a time of change and challenge

Leading others

- Setting clear strategic direction and making high quality decisions which balance risk and stakeholder interests to deliver outcomes;
- Strong communication skills and the ability to build visibility and awareness with partners and stakeholders.

Understanding and developing self

- You will demonstrate a strong understanding of yourself as a leader as well as a passion for your work and your own continuous personal development. This includes acting as a role model for inclusive leadership by clearly articulating, with courage and humility, how your personal life experiences and background impact on your thinking and behaviour

For further information on the Leadership Framework and details on the Leadership Criteria please see pages 11-13.





OUR LEADERSHIP FRAMEWORK

The Scottish Government’s Leadership Framework (illustrated below) describes the behaviours and attributes we are looking for in our senior leaders. There are four dimensions described:

- Understanding, managing and developing self
- Developing others
- Leading others
- Leading collectively

The framework has been developed to provide consistency and rigour in senior recruitment and to inform the development of leaders at all levels.

In the framework the core behaviours sought in our senior leaders are described. Behaviours are divided into four quadrants, each of which is sub-divided into further clusters.

Underpinning the framework is our commitment to diversity and inclusion. Diversity and inclusion is not considered a separate category of behaviours; all the behaviours described support inclusive leadership and we expect a style of leadership that actively seeks out and values difference to underpin all SCS behaviours.





Understanding, managing and developing self

You will understand how your personal background and life experiences impact on your thinking, values, behaviours and biases. You will have a clear understanding of your strengths, motivations and development needs and can articulate how these impact on your actions and emotions.

You will demonstrate energy and passion for the Civil Service and wider public service and be committed to delivering real world outcomes. You will embrace accountability and willingly go beyond what is expected of you to have a positive impact.

You will be continually learning, relying on feedback and scrutiny of your actions to approach development in a planned way.

You will be comfortable sharing your experiences and challenges with others. You will know when you are at your best and be open about what causes you strain, having strategies in place to maintain personal resilience.

Developing others

You will understand the strengths, values and motivations of those you lead. You will champion opportunity for all and create an inclusive environment where diversity of thought and perspective is actively sought, valued and nurtured.

You will develop your team to be the best they can be, leading through trust and empowerment. You will actively manage performance, establishing clear lines of accountability and balancing support with challenge.

You will role model lifelong learning and foster a learning culture where everyone seeks to improve through development, evaluation and learning from mistakes.

You will build team resilience, talking and listening to your team about the pressures faced, and consider what is required and what can realistically be achieved in order to support wellbeing and performance.

Leading Others

You will inspire others through a compelling vision, create a sense of collective purpose and manage risk and resources to deliver results.

You will make and enable strategic connections to be made and you will help others to see the big picture.

You will be rigorous in decision making, using the best available evidence drawn from wide and diverse sources and networks of expertise.

You will be comfortable challenging and being challenged. You will create space for innovative and creative thinking, supporting and empowering others to try new ideas and challenge the status quo.





Leading Collectively

You will understand and help others understand the interconnectivity of the whole organisation and where government adds value in a system of multiple sectors working together to prioritise and deliver the best outcomes for the people of Scotland. You will make connections across boundaries, building strong and diverse networks of professional relationships to instil a sense of collective purpose.

You will seek out voices which often go unheard, engage with the communities we serve, collaborate and co-produce policy and delivery approaches.

You will support colleagues and make a distinctive contribution to corporate activities and goals as an active member of the senior civil service.

You will demonstrate political acuity as you navigate the organisational system and wider context in order to deliver outcomes. You will be comfortable leading in a volatile, uncertain, complex and ambiguous environment.





HOW TO APPLY

Applications should be submitted by no later than **midnight on 3 October 2021**.

There are two parts to the application, both of which must be fully completed for your application to progress:

1. Online application form – click ‘apply’ on the advert on [Scottish Government \(work-for-scotland.org\)](https://www.gov.scot/work-for-scotland). The form has a number of sections, covering information required for the recruitment process and to enable us to monitor our performance as an inclusive employer. These include:

- **Diversity Monitoring.** See the [Civil Service Diversity and Inclusion Strategy](#) for more information.
- **Disability Confident Scheme** (previously known as Guaranteed Interview Scheme) for disabled persons. For further information, see [here](#). If you require reasonable adjustments to support you to apply for this role, please email Elizabeth Michelakakis (Elizabeth.michelakakis@scot.gov) in confidence. For example, a reasonable adjustment at application stage could be providing information in an accessible format.
- **Nationality section.** Please see the [Civil Service Nationality Rules](#) for further information.

The online application form is solely for HR use and will not be given to the selection panel.

2. Emailed supporting statement and CV – sent to SCSHR@gov.scot

The selection panel will use these two documents to assess your suitability for the role against the essential criteria during sifting.

- **Supporting statement** (maximum 1,500 words) explaining how your skills, qualities and experience make you suitable for the role. You should make particular reference to, and structure your supporting statement around, the essential criteria
- **CV** setting out your career history, with key responsibilities and achievements. This should provide details of your qualifications and career history with dates and reasons for leaving





PROCESS AND TIMELINES

Process

This competition is being run in accordance with the [Civil Service Recruitment Principles](#) and chaired by June Milligan, a Civil Service Commissioner. The remaining panel members include:

- Caroline Lamb, DG Health and Social Care
- Ruth May, Chief Nursing Officer England
- Neena Mahal, Chair NHS Lanarkshire
- Ralph Roberts, Chief Executive NHS Borders

If you are shortlisted, you will be provided with full details of the next stages of the selection and assessment process. This will include individual psychological assessment and a media exercise.

You may also have the opportunity to meet with key stakeholders prior to the final selection panel interview to learn more about the role and the organisation, including the Cabinet secretary for Health and Social Care.

If applicable the location and format of the final selection panel interview will be confirmed in advance, however, the expectation at the moment is that both interview and assessments are going to take place online.

Relocation Expenses

Relocation expenses of around £6,000 may be available if you have to move house to take up this appointment. Further details will be provided to the successful candidate but you should not in any event commit yourself to any expenditure without prior discussion with the Scottish Government.

The Scottish Government has developed this [website](#) to provide information for people considering living and working in Scotland which provides information on the variety of lifestyles on offer and an insight into why you should consider moving to Scotland.

INDICATIVE TIMELINE

Vacancy closes

3 October

Shortlisting

w.c. 11 October

Assessments

w.c. 18 & 25
October

Interviews

w.c. 1 November

Final Outcomes

November

*Timings are subject to change and may alter. You will be informed appropriately.





SUPPORTING A DIVERSE WORKFORCE

Scottish Government supports diversity and inclusion within our workforce in a number of ways. This may include taking positive action where appropriate.

Recruitment and Retention Plans

Our [Race Recruitment and Retention Action Plan](#) and [Recruitment and Retention Plan for Disabled People](#) detail the actions we have committed to deliver our vision to be a world-leading diverse employer where racial equality is achieved, and we support more disabled people into the Scottish Government and enable disabled employees to thrive and succeed at work.

Disability Confident Scheme

Scottish Government is a disability confident employer. This means all disabled applicants who claim a guaranteed interview and who meet the essential criteria will be invited to interview or further assessment. If you need them, we will make reasonable adjustments throughout the recruitment process. Please contact Elizabeth Michelakakis (Elizabeth.michelakakis@gov.scot) to discuss how we can support you appropriately at any stage of the process.

Diverse selection panel members

All selection panels for Senior Civil Service appointments now include at least one diverse panel member, either someone from an ethnic minority background and/or someone with a disability. Irrespective of grade, diverse panel members undertake the responsibilities of a full panel member.

Flexible working

We welcome flexible working, including part-time and job-share arrangements. If you are interested in applying on a job-share basis, please make clear in your application if you wish to be considered as a pre-existing job-share partnership or if you are interested in moving into a job-share arrangement. We will assess proposed working patterns against the business requirements for the post and discuss all options with candidates.

Diversity Monitoring

Helps us monitor selection decisions to assess if equality of opportunity is being achieved. The information on the form will be treated as confidential and used for statistical purposes only. The form will not be treated as part of your application. Please note we also use diverse recruitment panels.

Data Protection

Any data about you will be held in secure conditions with access restricted to those who need it in connection with dealing with your application and the selection process. Anonymised personal data may also be used for the purposes of monitoring the effectiveness of the recruitment process.





TERMS, CONDITIONS AND BENEFITS

Appointment term	Indefinite contract on standard Civil Service terms. If applicable, secondment from your existing employer would also be considered. The duration of any secondment would be subject to agreement with the Civil Service Commission
Salary range	This is a Senior Civil Service Band 2 role, starting salary circa £105,500 with a pay range of SCS2, £105,500-113,800. If applicable, a fixed-term secondment from your existing employer on your current employment terms might also be considered. External candidates, who are not applying on secondment, are expected to start at the minimum. For existing civil servants applying on level transfer or promotion, starting salary is determined by reference to salary with current department. The Scottish Government does not pay non-consolidated performance awards.
Location	This role is located in Edinburgh. However, to support the Scottish Government response to the Coronavirus pandemic and in line with current guidance, you will be expected to work from home for the foreseeable future.
Working hours	The standard is a 5 day week of 37 hours. We welcome flexible working. If you are interested in applying on a job-share basis, please make clear in your application if you wish to be considered as a pre-existing job-share partnership or if you are interested in moving into a job-share arrangement. We will assess proposed working patterns against the business requirements for the post and discuss all options with candidates.
Annual leave	The annual leave allowance is 6 weeks. In addition, 11½ days public and privilege holidays, dates of which are set annually.
Pension	Civil Service pension arrangements will apply. Full details can be found on the <u>Civil Service Pensions website</u>
Security clearance & Vetting	The successful candidate, if new to the Civil Service, will require Baseline Personnel Security Standard (BPSS) security clearance. Some roles may in addition require national security vetting . Further information is available from Elizabeth Michelakakis (Elizabeth.michelakakis@gov.scot)
Civil Service Code	The Civil Service Code sets out the constitutional framework within which all civil servants work and the values they are expected to uphold. A copy of the Code can be found here .
Business appointment rules	Candidates should note that on completion of the appointment, the post holder will be subject to the Government's Business Appointments Rules, with the possibility of restrictions on future employment. Further information about the rules and restrictions can be found here .
Conflicts of interest	You will be required to disclose any personal or business interests, including share holdings, which may or may be perceived to be relevant to or in conflict with working within the Civil Service. This may involve suspending or relinquishing stock market activity.





FURTHER INFORMATION

If you have any queries about any aspect of the selection process and terms and conditions, please contact Elizabeth Michelakakis (Elizabeth.michelakakis@gov.scot).

For an informal discussion about the nature of the role please email: Caroline Lamb (DGHSC@gov.scot).

CIVIL SERVICE COMMISSION

Selection for appointment to the Civil Service is on merit, on the basis of fair and open competition, as outlined in the Civil Service Commission's Recruitment Principles [here](#).

The Civil Service Commission has two primary functions:

- Providing assurance that selection for appointment to the Civil Service is on merit on the basis of fair and open competition. For the most senior posts in the Civil Service, the Commission discharges its responsibilities directly by overseeing the recruitment process and by a Commissioner chairing the selection panel.
- Hearing and determining appeals made by civil servants under the Civil Service Code which sets out the Civil Service values – Impartiality, Objectivity, Integrity and Honesty - and forms part of the relationship between civil servants and their employer.

More detailed information can be found [here](#).

COMPLAINTS

If you feel your application has not been treated in accordance with the Recruitment Principles, and you wish to make a complaint, you should contact James Christopher (email: james.christopher@gov.scot) in the first instance.

If you are not satisfied with the response you receive from the Department, you can contact the Civil Service Commission via [this link](#).



In the service _____ of Scotland

'In the service of Scotland' is a new vision for the Scottish Government, describing how we will work together.

Created in partnership with more than 450 colleagues including the Executive Team and the Council of Scottish Government Unions, this vision describes the type of organisation we need to be, now and in the future.

It provides Scottish Government colleagues with a unique set of values, linked to the [Civil Service Code](#) and the [National Performance Framework](#), which will guide everything that we do as the Civil Service of the Scottish Government.

'In the service of Scotland' has three parts:

- **Our mission:** We work together to improve the lives of the people of Scotland.
- **Our vision:** We put the citizens we serve at the heart of everything we do. We use digital thinking and approaches to strengthen our work and provide a better service for everyone. We are driven by our values, always searching for new ways to learn and improve. All in the service of Scotland.
- **Our values:** We act with integrity, we are inclusive, we are innovative, we are collaborative and we are kind.



Data collection and publication guidance

**Sex
Gender Identity
Trans Status**

September 2021



Scottish Government
Riaghaltas na h-Alba
gov.scot

Overview

I was asked by the then Cabinet Secretary for Social Security and Older People to bring together a working group to look at the way data on sex and gender is collected and published, and put together guidance for public bodies.

This was announced at the same time as the Cabinet Secretary updated Scottish Parliament on plans to reform the Gender Recognition Act 2004 in Scotland. While the two are not directly related, some groups had, in response to the proposals to reform gender recognition, raised concerns about the collection and use of data by sex and gender.

The scope of this work is about data collected and used by Scottish public bodies – for operational, statistical and research purposes. It is separate from Scotland's Census 2022.

The book “Invisible Women” by Caroline Criado Perez, and work by a number of organisations, has also drawn attention to the frequency with which data is neither collected, aggregated or used in a way that takes account of the differences including biological and physical differences – between men and women, and their impact in areas such as transport, health and access to services.

I have brought together a group of experts in collecting and presenting data from across the UK. I have listened to the varied views and drawn my own conclusions from these. An important part of this work was making sure that the guidance is informed by evidence from a wide range of individuals and organisations with views based on a lived experience of these issues. To do this, I met a number of external stakeholders to listen to their views, as well as holding public engagement events to give everyone with an interest the opportunity to have their views heard. Finally, a public consultation was held on a draft version of this guidance.

I gathered together these insights and considered them when putting together this guidance.

Given the importance of this topic, it was important for me to carry out this work in a transparent way, so that people can see how it has been put together. To this end, I have been posting regular blog updates on my Statistics blog, as well as publishing all minutes from the working group meetings on the Scottish Government website.

My role as Chief Statistician brings with it responsibility for the coordination and implementation of professional statistical standards that help maintain trustworthiness in the use of data, its quality, and delivering improved outcomes for people in Scotland. In putting together this guidance I have, therefore, rooted the work in a set of widely accepted statistical principles. Whilst the concepts behind definitions are important, so too is having data that is high quality, and can be used to drive changes and improvements that will save time, money and lives – for the benefit of everyone.

Roger Halliday, Chief Statistician

Guidance

1. Introduction, purpose and context

The Scottish Government clearly sets out its purpose in Scotland's National Performance Framework: 'to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth', and makes clear the values underpinning this: 'we are a society which treats all our people with kindness, dignity and compassion'. To fully understand the needs and experience of individuals and groups we need data that will allow for comparisons to be made.

The then Cabinet Secretary for Social Security and Older People, in her statement to Scottish Parliament on 20 June 2019, highlights the importance of "having disaggregated data...to help show where there is discrimination and indicate where further work needs to be done, in any part of Government". This need also extends to the public sector more widely.

Having high quality data is the backbone to having a public sector that can design services that meet, and are responsive to, the needs of all people in Scotland. This data is an important source of information for those involved in delivering public services, including planning, monitoring and reviewing of decisions in relation to these services.

As such, my expectation of public bodies in Scotland is that they routinely gather and publish information on socio-demographic characteristics of people in Scotland, using this information to design, plan, monitor and evaluate services that are sensitive to the needs of all of Scotland and create the conditions where there are opportunities for all of Scotland to flourish. This includes understanding not just the issues faced by women and men, but on the intersectionality between sex, gender identity and other socio-demographic characteristics (including the protected characteristics in the Equality Act 2010).

How data is collected and published is an important part of achieving this wider aim. This guidance sets out things for public bodies to consider when they are collecting data about sex, and trans status, whether in a survey or an administrative system, so that data collection has a clear purpose and is rooted in the organisations' needs and informs the design, targeting and delivery of public services.

It is equally as important to consider whether the way data is collected as a whole introduces bias against particular parts of society, and building skills across the public sector amongst those collecting data is important to mitigate any risk of bias.

Indeed, the European Institute of Gender Equality Gender Statistics Database¹ identify good practice in data and statistics about sex and gender as:

¹ European Institute of Gender Equality. 2020. "Gender Statistics Database." European Institute for Gender Equality. Accessed February 17. <https://eige.europa.eu/gender-statistics/dgs>.

- a) Data are based on concepts and definitions of gender that adequately reflect the diversity of women and men and capture all aspects of their lives; and
- b) Data collection methods take into account stereotypes and social and cultural factors that may induce gender bias in the data.
- c) The presentation of data on sex and gender should help illuminate meaningful differences and similarities between women and men.

In undertaking this work, it is clear that while most public bodies are collecting and analysing data about sex or gender, it is fair to say that these terms are sometimes used interchangeably in the questions used in data collection, and there is typically limited guidance on exactly what is being asked for. This has the consequence that in reality people answering this question may be interpreting it in different ways.

It was clear that many organisations weren't making conscious decisions about the question or questions to ask.

And very few organisations were collecting data to help better understand experiences and outcomes of trans people.

I found that even when data on sex and/or gender identity is collected, it is not always analysed, published or used in decision making. This clearly impacts on efforts to eliminate discrimination and promote equality.

This matches the findings of the UN's Committee on the Elimination of Discrimination against Women who looked at the UK in 2019 and found a "...lack of systematic collection of data, disaggregated by sex, gender, ethnicity, disability and age, in particular with regard to intersecting forms of discrimination, to identify areas in which women lack substantive equality with men, inform policymaking and assess the impact of measures taken."²

What is clear is that there isn't a standard way that data about sex and gender identity is being collected, either in Scotland or the UK. For example in justice statistics for England there are a number of approaches³. Internationally this varies with approaches currently developing in a few other countries, and others more established, for example, the Australian Government published guidelines in 2013 on the recognition of sex and gender, which covered data collection⁴.

In addition, it was clear that very little data is collected on people's trans status or history in Scotland, and there are no definitive international standards for how to do this.

² UN Committee on the Elimination of Discrimination against Women. 2019. "Concluding Observations on the Eighth Periodic Report of the United Kingdom of Great Britain and Northern Ireland." United Nations.

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/GBR/CO/8&Lang=En .

³ A Technical Guide to Statistics on Women and the CJS (publishing.service.gov.uk) (see pages 9 to 11).

⁴

<https://www.ag.gov.au/Publications/Documents/AustralianGovernmentGuidelinesontheRecognitionofSexandGender/AustralianGovernmentGuidelinesontheRecognitionofSexandGender.pdf>

2. Underpinning statistical principles

An important starting place for this work are the set of relevant statistical principles that will underpin the work to develop guidance on collection and publication of data on sex, gender identity and trans status.

The following are taken from the Code of Practice for Statistics⁵

- The Chief Statistician/Head of Profession for Statistics should have sole authority for deciding on methods, standards and procedures, and on the content and timing of the release of regular and ad hoc official statistics (Practice T2.1)
- Organisations should look after people's information securely and manage data in ways that are consistent with relevant legislation and serve the public good. (Principle T6)
- Statistics should be based on the most appropriate data to meet intended uses. The impact of any data limitations for use should be assessed, minimised and explained. (Principle Q1)
 - Statistics should be based on data sources that are appropriate for the intended uses. The data sources should be based on definitions and concepts that are suitable approximations of what the statistics aim to measure, or that can be processed to become suitable for producing the statistics (Practice Q1.1)
- Methods and processes should be based on national or international good practice, scientific principles, or established professional consensus (Practice Q2.1).
- Statistics, data and metadata should be compiled using recognised standards, classifications and definitions. They should be harmonised to be consistent and coherent with related statistics and data where possible. Users should be provided with reasons for deviations from these standards and explanations of any related implications for use (Practice Q2.2).
- Statistics producers should collaborate with topic and methods experts and producers of related statistics and data wherever possible (Practice Q2.6).
- Users of statistics and data should be at the centre of statistical production; their needs should be understood, their views sought and acted on, and their use of statistics supported. (Principle V1)
 - Statistics producers should engage publicly through a variety of means that are appropriate to the needs of different audiences and proportionate to the potential of the statistics to serve the public good. An open dialogue should be maintained using proactive formal and informal engagement to listen to the views of new and established contacts. Statistics producers should undertake public engagement collaboratively wherever possible, working in partnership with policy makers and other statistics producers to obtain the views of stakeholders. (Practice V1.4).
 - The views received from users, potential users and other stakeholders should be addressed, where practicable (Practice V1.5)..

⁵ <https://www.statisticsauthority.gov.uk/code-of-practice/>

The following is taken from the European Statistics code of practice⁶

- The overall methodological framework used for European Statistics follows European and other international standards, guidelines and good practices (Practice 7.1)

Dignity and respect

- Data collection needs to be carried out in a way that treats people with dignity and respect

As with all official statistics, they are collected for the purpose of improving decision making, so another principle would be that

- if statistics produce unexpected results, they should be investigated further, to see if there is a reason for these results

⁶ <https://ec.europa.eu/eurostat/web/quality/european-statistics-code-of-practice>

3. Definitions used in this Guidance

While the terms sex and gender are used by some people interchangeably, there is not strong consensus about the meaning of these terms in different contexts. A number of organisations have attempted to set out definitions of the aspects of sex, gender and transgender for the purposes of collecting consistent data⁷. The definitions stated are broadly similar across these organisations.

For the purposes of collecting data, a person's **sex** is generally defined as male or female. There are different aspects to a person's sex:

- **Biological**: as determined by a person's anatomy, which is produced by a combination of their chromosomal, hormonal, genital and gonadal characteristics, and their interactions.
- **Legal**: typically legal sex is their sex registered at birth. However, for a trans person with a full Gender Recognition Certificate, their legal sex is their acquired sex.⁸
- **Self-defined**: a person's innate sense of whether they are female or male

The Equality and Human Rights Commission (EHRC)'s "Statement on Sex and Gender Reassignment: legal protections and language"⁹ explains that in UK law sex is understood as binary and a person's legal sex is determined by what is recorded on a person's birth certificate. A trans person can change their legal sex by obtaining a GRC and a trans person who does not obtain a GRC retains the (legal) sex recorded on their birth certificate for legal purposes.

Organisations such as the World Health Organisation, and the Royal Statistical Society¹⁰ define **gender** as:

- a social construction relating to a set of norms, roles and relationships that is founded in social mores, laws, processes and policies based on labels of masculinity and femininity. This is time and culture specific;

and **gender identity** as:

- a personal, internal perception of oneself, and so the gender category someone identifies with may not match their sex registered at birth
- what an individual experiences as their innate sense of themselves as a man, a woman, as having no gender identity, or as having a non-binary gender – where people identify as somewhere on a spectrum between man and woman

And define **transgender** as:

- anyone whose gender identity differs from their sex registered at birth.

⁷ For example the [Office for National Statistics](#), [World Health Organisation](#), the [Royal Statistical Society](#), and the [USA Federal Interagency Working Group on Improving Measurement of Sexual Orientation and Gender Identity in Federal Surveys](#) .

⁸ <https://www.equalityhumanrights.com/en/advice-and-guidance/gender-reassignment-discrimination>

⁹ <https://www.equalityhumanrights.com/en/our-work/news/our-statement-sex-and-gender-reassignment-legal-protections-and-language>

¹⁰ For example the [World Health Organisation](#), the [Royal Statistical Society](#), and the [USA Federal Interagency Working Group on Improving Measurement of Sexual Orientation and Gender Identity in Federal Surveys](#) .

For the overwhelming majority of people, all the factors involved in determining sex and gender identity are aligned. For some people, there are differences. People will not necessarily answer a question about their sex in exactly the same way: most will need no reflection at all, some will think about their biology, some their legal sex and some their self-defined sex.

4. Considerations when deciding what data to collect

It is a fundamental role for public service in Scotland to eliminate discrimination, foster good relations and advance equality in our society. This helps to meet our purpose in the National Performance Framework of creating “opportunities for all of Scotland to flourish”, as well as meeting legal obligations in the Equality Act 2010 through the Public Sector Equality Duty.

Within this overarching aim, there will be different reasons organisation have for collecting data and the uses should determine the data collected. As such, organisations must decide on the most useful definition(s) to use to capture the data that they need.

It is important to think through the way you are collecting data i.e. who you are seeking data from, the arrangements for collecting data (e.g. time of day, or mode of collection) and nature of the questions you use. How you set up the data collection can introduce biases that reduce the value or lead to decisions that unknowingly increase inequalities. So, consider any data collection as a whole and plan to avoid any potential biases. There is a lot of further guidance on how best to do this online, for example this Government Social Research Quota sampling guidance¹¹.

From the principles above, it is important to only collect a specific item of data from someone where there is a clear need for this, to minimise the burden on an individual and to comply with the legal requirements under the UK General Data Protection Regulation (UKGDPR). In addition, people have the right to access to data about them that is used for operational decisions and that this data is rectified if there are errors. So those collecting data for operational decisions need to take steps to making sure it remains correct.

The Equality and Human Rights Commission have guidance on the public sector equality duty and data protection¹².

The Information Commissioner’s Office (ICO) produce guidance to support organisations to only collect personal data that is needed for a specific purpose, to ensure that sufficient data is collected to fulfil this purpose, and to periodically review the personal data held and processed, checking that it is still relevant and adequate for these purposes, deleting anything no longer needed Principle (c): Data minimisation | ICO¹³.

The ICO also recommend that organisations consider potential risks to the rights of individuals when making decisions about collecting personal data, as well as the risks of not collecting and using information as well as collecting and processing it¹⁴:

¹¹ <https://gss.civilservice.gov.uk/wp-content/uploads/2018/03/Quota-sampling-guidance-4.pdf>

¹² <https://www.equalityhumanrights.com/en/publication-download/public-sector-equality-duty-and-data-protection>

¹³ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/principles/data-minimisation/>

¹⁴ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/how-do-we-do-a-dpia/#how10>

A Data Protection Impact Assessment aims to consider these points: The ICO provide some guidance on how to put this together¹⁵.

There may be a number of reasons for collecting data on sex, gender identity or trans status. Some important reasons are

- Operational decisions by public sector services about the service people receive
- Designing more inclusive and better services. This includes identifying opportunities to improve or transform services, decisions on how best to do that, monitoring key performance measures or societal trends. This includes meeting legal obligations to collect certain data and use it to monitor equalities.
- An evidence based understanding of service need, to, for example, inform funding and planning decisions.
- Helping the public to understand the extent to which progress has been made in the equality and diversity of our nation.

For the vast majority of people, questions on someone's sex and gender identity will provide the same response: female and woman/girl, or male and man/boy. This also means that for many uses, whether data is collected using a sex question or a gender identity question, will in reality give you data that will work for uses where you need data on either concept.

However, a proportion of people will not answer questions on sex by thinking about their biological or legal sex, and instead will respond according to aspects such as their self-defined sex, and their innate feeling of whether they are a woman or a man.

Given that for the vast majority of people sex and gender identity questions will provide the same result, for most issues one may want to measure, whether there is a question about sex or about gender identity, it will not skew the statistics when disaggregated by either concept.

However, the National LGBT survey¹⁶ reported that 13% of respondents were trans, 6.9% were non-binary, 3.5% were trans women, and 2.9% were trans men. This study identified differences according to respondents' age, with younger respondents more likely than older respondents to identify as non-binary, and younger respondents more likely to be trans men, and less likely to be trans women. As these survey results demonstrate, there are likely to be groups in the population where the proportion of trans people is higher, and public bodies should be mindful of possible impacts on the data, for example in terms of quality and comparability, and when considering how to collect and present aggregate data on groups containing small numbers of people in a way that protects privacy and respects disclosure control measures.

¹⁵ "How do we do a DPIA?" <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/how-do-we-do-a-dpia/#how10>

¹⁶ [National LGBT Survey: Summary report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674242/national-lgbt-survey-summary-report-2018.pdf)

Where it is not necessary and proportionate, a question requiring the disclosure of a person's biological sex may be an unjustifiable breach of privacy: in some cases this would have the potential to reveal a trans history that otherwise a person may wish to keep private. In a small number of instances, it may be necessary and proportionate to require a person to answer a question on their biological sex but this would be on an individual basis for a very specific purpose and it would be up to public bodies who need this data to develop the best approach to do this. The most likely scenarios where data on biological sex is required would be on a case-by-case basis in a medical context; in a criminal context where a serious sexual offence is being investigated.

This guidance is not prescriptive about these day to day operational data collection decisions. It will be for public bodies who need to collect this data to establish the best approach to collect this data in their individual institutional settings. Data collection should remain respectful to the dignity and rights of individuals but allow public bodies to monitor outcomes and design service improvements.

The Equality and Human Rights Commission (EHRC), who are responsible for ensuring compliance with the Public Sector Equality Duty (PSED), have stated that the requirement to gather employment information does not mean that employment information on the basis of legal sex must be recorded¹⁷. Outside of employee data, there may be a small number of circumstances when collecting data on self-defined sex only could contribute to the failure of a public body to comply with the PSED. Therefore it is important that public bodies find a balance between gathering appropriate data for a specific purpose and people's right to privacy.

Recording data on gender identity and trans status can also support equality monitoring in relation to the 2010 Act protected characteristic of gender reassignment.

Many data collections are used for more than one purpose: for supporting operational decisions, supporting organisational management and improvement, providing accountability, and broader research. As such, many organisations will want to be able to report about sex, gender identity and trans status.

For the majority of people their sex and gender identity are the same and they do not understand why they are asked the same question twice. However, engagement as part of the 2022 Scottish Census has shown that trans people prefer to answer a sex question (on a self-defined sex basis) followed by a trans status question. Asking this combination can support the principle of asking questions respectfully. This in turn leads to greater levels of response to the questions and better quality data that enables better decisions to be taken.

¹⁷ <https://www.gov.scot/binaries/content/documents/govscot/publications/minutes/2019/09/sex-and-gender-in-data-working-group-meeting-september-2019/documents/ehrc-submission-on-collecting-and-presenting-data-on-sex-and-gender/ehrc-submission-on-collecting-and-presenting-data-on-sex-and-gender/govscot%3Adocument/EHRC%2Bsubmission%2Bon%2Bcollecting%2Band%2Bpresenting%2Bdata%2Bon%2Bsex%2Band%2Bgender..pdf>

Asking individuals to disclose their sex may raise privacy issues. Public bodies should give consideration to whether an intrusion into someone's private life has a legitimate purpose and is proportionate. This is particularly true when asking trans people to disclose their trans status. As such, making sure questions offer an option of "prefer not to say" is very important. This has been considered when developing the questions in this guidance.

The Scotland's Census 2022 question on sex and the voluntary question on trans status or history have been thoroughly tested, are respectful and offer a way to collect data on both sex and trans status.

5. Data standards

There are no international standards for how to ask questions around sex and trans status, though currently there is very little data collected explicitly on the basis of sex registered at birth, or biological sex, and it is assumed that the vast majority of official data is collected on the basis of self-defined sex. For example, some questions ask 'what is your sex?', others ask 'are you male or female?' with no guidance on how people should interpret the question.

However, as outlined in the statistical principles, using approaches that are consistent across Scotland and between nations is desirable. Data and statistics are developed to meet specific needs. Because of this, different statistics will often measure similar concepts using different definitions and classifications. When considering each set of statistics in isolation, this approach is okay. However, many uses of data require bringing together a number of sources. Having consistent definitions, language and question structure in data collection makes it much easier to interpret these different sources together.

As such, and recognising that for most organisations and purposes that data on sex, and trans people will be needed, this guidance proposes asking questions on both sex and trans status as standard questions. This includes a question offering people to describe their trans status. This is likely to increase response rate by allowing people to describe things in their own words rather than be prescriptive about categories that people should fit to. Also, terminology is quickly evolving and the possible responses may become out of date. As described in the previous section, there will be cases where collecting both of these data items is not needed.

Within the UK, there are a range of questions currently asked in face to face (sometimes in a non-private situation), phone and self-completion surveys. These are not currently done in a uniform way. A consideration here is that collecting data can happen through a few different approaches: via a face to face interview, on the telephone, or a paper form or online. The approach needed where someone asks a question (i.e. face to face or telephone interviewing) is subtly different from a situation where someone completes a form/written survey by themselves. Surveys and administrative systems can be completed in different ways.

A question on a person's sex or trans status should be answered by the individual concerned or their advocate. It should not be inferred by an organisation based on a person's name or by observation. Testing of a gender identity question for Scotland's Census 2022¹⁸ showed that 16% of people found that responding for a person under 16 was not acceptable for them, which is significantly higher than for people responding on behalf of someone 16 and over. As such, the voluntary trans status or history question in Scotland's Census 2022 is only being asked of people aged 16 and over.

This guidance provides standard questions, responses and guidance for sex and trans status. Separate questions are given for interview led or written self-completion situations. These have been developed from existing questions used somewhere

¹⁸ <https://www.scotlandscensus.gov.uk/documents/sex-and-gender-identity-topic-report/>

around the world. Data standards such as those shown below usually undergo a process of cognitive testing to make sure the questions work with those who are likely to complete them. This has happened the paper/online questions as part of testing for the 2022 Scottish census. My intention is to make sure this happens for the questions included here in a face to face setting. The outcomes of this testing will be published.

I intend that this guidance will evolve and develop over time alongside developments in the terminology used.

Interviewer led (Face to face/phone) interview – Sex

Question wording	What is your sex? Or “what is the sex of (name of respondent)?” when responding for another person
Question responses	<ol style="list-style-type: none"> 1. Female 2. Male 3. Prefer not to say <p>To not include in the question, but to code</p> <ol style="list-style-type: none"> 9. Not known
Question guidance	<p>This aligns with the guidance for Scotland’s Census 2022¹⁹ with the exception that the respondent may state that they would prefer not to answer the question.</p> <p>The value “Not known” indicates that sex has not been recorded. This covers the sex of an unborn child, when someone has refused to answer the question or when the question has not been asked.</p>

Written (paper or online) questionnaire – Sex²⁰

Question wording	What is your sex?
Question responses	<ol style="list-style-type: none"> 1. Female 2. Male 3. Prefer not to say <p>To not include in the question, but to code</p> <ol style="list-style-type: none"> 9. Not known
Question guidance	<p>This aligns with the guidance for Scotland’s Census 2022¹⁹ with the exception that the respondent may state that they would prefer not to answer the question.</p> <p>The value “Not known” indicates that sex has not been recorded. This covers the sex of an unborn child, when someone has refused to answer the question or when the question has not been asked.</p>

¹⁹ <https://www.scotlandscensus.gov.uk/media/nzljdqvn/sex-question-guidance-30-august.pdf>

²⁰ In proposing a voluntary sex question (i.e. one that gives the option of 'prefer not to say') that asks whether someone is male or female, I acknowledge that this is different to the approach taken for Scotland’s Census 2022, which will ask a mandatory binary sex question underpinned by legislation . Most surveys and data collection are not compulsory, though response for this question is typically very high. This recommendation was based on extensive testing and feedback from stakeholders

Interviewer led (Face to face/phone) interview – trans status

Question wording	Do you consider yourself to be trans, or have a trans history?
Question responses	<p>1. No 2. Yes 3. Prefer not to say</p> <p>To not include in the question, but to code</p> <p>9. Not known</p>
Question guidance	<p>Here we use trans is as a term used to describe people whose gender identity is not the same as their sex registered at birth.</p> <p>To only be asked for people aged 16 or over</p> <p>Ideally present a show card with options 1-3. Otherwise read out options 1-3.</p> <p>Responding with the answer 2-Yes opens the question on trans status description</p> <p>The value “Not known” indicates that trans status has not been recorded. This covers when someone has refused to answer the question or when the question has not been asked.</p>

Interviewer led (Face to face/phone) interview – trans status description

For those who respond to the trans status question “yes”

Question wording	If you would like to, please describe your trans status (for example non-binary, trans man, trans woman):
Question responses	<p>This is an open text response</p> <p>8. Prefer not to say 9. Not Applicable</p>
Question guidance	The value “Not applicable” indicates that the trans status description question was not asked, i.e. the trans status question has a response of 1, 3 or 9.

Written (paper or online) questionnaire – trans status

Question wording	Do you consider yourself to be trans, or have a trans history? Tick ONE box only
Question responses	1. No 2. Yes 3. Prefer not to say To not include in the question, but to code 9. Not known
Question guidance	Here we use trans as a term to describe people whose gender identity is not the same as their sex registered at birth To only be asked for people aged 16 or over The write-in box for the trans status description should be visible underneath the trans status question The value “Not known” indicates that trans status has not been recorded. This covers when someone has refused to answer the question or when the question has not been asked.

Written (paper or online) questionnaire – trans status description

For those who respond to the trans status question “yes”

Question wording	If you would like to, please describe your trans status (for example non-binary, trans man, trans woman):
Question responses	This is an open text response 9. Not Applicable
Question guidance	The value “Not applicable” indicates that the trans status description question was not asked, i.e. the trans status question has a response of 1, 3 or 9.

6. Information to accompany data collection

It is important that people understand why they are being asked to disclose certain information, and what a public body will use the collected data for. I recommend that an overview of this background information is provided in a short paragraph before the questions are asked. For example, question testing by the Office of National Statistics (ONS) on their interim gender identity standard found that question acceptability increased when people understood that the information was being collected to carry out equalities monitoring.

The ICO guidance on transparency gives further details on the type of information that organisations should consider including when collecting personal data, such as a privacy notice that outlines the basis of consent for processing, retention periods, who might have access to the data and those to whom the data might be disclosed: Transparency | ICO²¹

Sometimes people may be concerned that their answers won't be confidential and some people may not understand why they're being asked for certain information. This can result in a large number of people responding 'prefer not to say' to a question. To encourage high response rates, you should provide more information on why the data is being collected, how the data will be kept secure and confidential, and what it will be used for. Depending on the purpose of data collection, you may want to ask a person's consent to disclose or use the data they have provided for a specific purpose. Again, the ICO have guidance for organisations to consider around consent, and it is recommended that organisations familiarise themselves with this²².

For example, a public body could explain:

- Why you are collecting the data
- How the data will be stored (whether anonymously or confidentially), and who will have access to this
- How the data will be used
- Examples of how previous data collections have had a positive impact

For some people, for example trans people, it will be particularly important that there is a legitimate reason for asking their sex, and/or trans status, and whether this information will be disclosed, and what it will be used for. Maintaining an individual's human rights, legal rights and right to privacy is an important consideration. For example, collecting information anonymously, or having explicit consent from an individual to disclose their information would allow potentially sensitive questions to be asked in a way that maintains the legal rights of a person (including a trans person under the Gender Recognition Act 2004).

²¹ <https://ico.org.uk/for-organisations/accountability-framework/transparency/>

²² <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/consent/>

7. Analysing, disaggregating and publishing data that has been collected

My expectation is that organisations across Scotland, as part of their focus on promoting equality, should be publishing disaggregated data that illuminates the situation for people who are female and male, and for trans people, therefore helping to understand where there are differences and where there are not. I'd also expect organisations to actively look to review their data collection to do more to both collect and publish disaggregated data. This is both for sex and trans status, and intersectionality with other socio-demographic characteristics (whilst preserving privacy).

A public body will need to consider precisely what disaggregation is required. There are a number of considerations that are relevant to reporting this data:

Information needs

A key starting point in thinking about how to disaggregate between those who are female or male, and present data about trans people should be to consider why the data is being collected, and what [equality] objectives the organisation is trying to achieve. The guidance on data collection covers this and gives some details of the reasons why a public body may need to collect data that is disaggregated in this way.

Legal

Public bodies who are listed for the purposes of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 will also require adequate information to assess the impact of applying a proposed new or revised policy or practice against the needs of the PSED, for example by completing a Equality Impact Assessment.

Those public bodies must also publish a set of equality outcomes which they consider will enable them to better perform the Public Sector Equality Duty (PSED). A public body must publish a report on the progress made to achieve its equality outcomes every two years and publish a fresh set of equality outcomes within four years of publishing its previous set. Again, information from data must underpin the development and monitoring of these equality outcomes.

Statistical

The Code of Practice for Statistics provides a framework for the production of statistics, to make sure that the things that most need to be measured in society are collected and reported in a way that maintains trust, quality and value of the data²³.

The Code or Practice places “above all, the confidentiality of individuals and of business information”, and ensuring that this is protected. This is very relevant to publishing and reporting statistics on small groups, where there is a risk that an individual's data may be identifiable in breach of their right to privacy. The

²³ <https://www.statisticsauthority.gov.uk/code-of-practice/>

Government Statistical Service has published guidance on how to present data in ways that preserve privacy²⁴

The Code is not concerned only with official statistics. It provides a framework that can apply to a much wider range of data that have not traditionally been described as official statistics. Providers of these other types of data, and this includes data held by public bodies, can draw on the Code as they judge appropriate to help support public confidence, and serve the public good. For example, it is accepted good practice that if the analysis of data collected shows results which are unexpected, the reasons for those results should be investigated

It is important that when reporting statistics that the strengths and limitations of the data are communicated clearly, and this includes making clear how the data was collected, whether face to face, whether in writing, over the phone, and the wording of question used. See the Ministry of Justice technical guide as an example of doing this²⁵. This allows users to take a decision on whether the data is suitable for their needs and uses.

The Government Statistical Service produces a number of resources related to communicating statistics, and this guidance can support the visual presentation of the statistics and data to conform to ways in which the user can easily digest and understand, so that your statistics and data are accessible²⁶.

²⁴ <https://gss.civilservice.gov.uk/policy-store/gssgsr-disclosure-control-guidance-for-tables-produced-from-surveys/>

²⁵ [A Technical Guide to Statistics on Women and the CJS \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/a-technical-guide-to-statistics-on-women-and-the-cjs)

²⁶ <https://gss.civilservice.gov.uk/guidances/communicating-statistics/>

8. Intersectionality

An intersectional analysis gives an insight into how a combination of socio-demographic characteristics might relate to specific forms of disadvantage. There is an increasing awareness that taking an intersectional approach to research, policy making and operational decisions is important, as intersectionality can give insight into the experiences of different groups in society, and how particular characteristics can combine to impact on an individual's experiences. However, there is not always disaggregated data available to support such an approach. This is likely to mean that the information on which important decisions are made is not fully representative of the population it is intending to measure.

For example, data on demographic characteristics may be collected by a public body, but not disaggregated in an intersectional way due to issues around sample size and risk of disclosing an individual's identity. In these cases, organisations should not risk disclosing information about a person's sex, or trans status. The Government Statistical Service guidance mentioned in section 7 above can help here.

Where sample size and quality allows, data should be disaggregated, including by sex, gender reassignment, race, religion or belief, age, disability, and sexual orientation, where combinations of these factors can result in discrimination, disadvantage and inequality. Being able to identify cases where combinations of factors are resulting in disadvantage enables policies to be developed and action taken to address these issues.

9. Harmonisation

There is a need to apply a more consistent approach to the collection of data around sex, gender identity, and trans status. The Working Group has built on work by Scottish Government Equalities analysts on this area.

Many uses of data require bringing together a number of sources. Having consistent definitions, language and question structure in data collection makes it much easier to interpret these different sources together. The proposed questions in this guidance aim to facilitate better harmonisation across the Scottish public sector in collecting data about sex and trans status.

Harmonisation is important to allow data collected in different sources, for example on a survey or in an administrative system, to be combined or compared, and still reported in a meaningful way. Harmonisation is also an important consideration when publishing data. For example, it is generally desirable to have harmonised questions and definitions so that data can be aggregated, linked, and disaggregated to smaller levels. This also allows for comparability between groups and other data sources when this data is reported.

Increasing sample size of data about particular groups should in theory increase the usefulness of the data, and allow for an intersectional analysis to be carried out while minimising the risk of disclosure issues. This could be achieved by better linkages between datasets and data sharing between public services, and an important determinant of being able to link data is harmonisation.

The underlying principles that the working group has adopted, based on professional codes of practice and frameworks, mean that a number of presentational issues when publishing this data will ultimately be determined by consideration of professional statistical matters (for example, disclosure control and data reliability).

This is a rapidly evolving area for the collection of data, and for data standards. As such, statisticians in Scottish Government will continue to work with those in the Office for National Statistics and elsewhere to make sure the standards laid out here continue to be relevant.

10. Disclosure control

Individual data records are important for operational decision making, as well as for research purposes; however, due to the sensitive nature of the information contained in an individual's data, their direct release would violate an individual's right to confidentiality and privacy, and be at odds with data protection legislation.

This is also central to the Code of Practice for Statistics, where the majority of the statistical principles are relevant to disaggregating and presenting data, in particular, Practice T4.2 under the Trustworthiness pillar, which states that:

- The identity of individuals or organisations must be protected at all times. Appropriate disclosure control methods, including the nature of any consent given, should be applied when releasing statistics (Practice T4.2)

And the UN Principles of International Statistics²⁷ also emphasise the importance of maintaining confidentiality:

6. Individual data collected about natural persons and legal entities, or about small aggregates that are subject to national confidentiality rules, are to be kept strictly confidential and are to be used exclusively for statistical purposes or for purposes mandated by legislation.

Good practices include:

- Putting measures in place to prevent the direct or indirect disclosure of data on persons, households, businesses and other individual respondents
- Developing a framework describing methods and procedures to provide sets of anonymous micro-data for further analysis by bona fide researchers, maintaining the requirements of confidentiality

Statistical disclosure control aims to protect anonymity of the individual who has provided the data, and maintains confidentiality and privacy by using one of a range of disclosure control methods (e.g. data swapping, recoding, suppression, or data identifiers can be removed or encoded and data fields can be modified by means of statistical disclosure controls), while overall the integrity and usefulness of the anonymised data is preserved.

You should consult Government Statistical Service (GSS) guidance on statistical disclosure control before releasing data that could potentially be identifiable²⁸.

²⁷ <https://unstats.un.org/unsd/dnss/gp/fundprinciples.aspx>

²⁸

<https://www.ons.gov.uk/methodology/methodologytopicsandstatisticalconcepts/disclosurecontrol/policyforsocialsurveymicrodata>

11. How to collect and present data on non-binary groups

It is a challenge to collect data that fully reflects the variance in a population, and part of this is driven by the questions that are asked, the definitions ascribed to the terminology used, and the interpretation of these by a respondent. This in turn affects the degree to which findings across surveys and countries can be compared.

In terms of administrative data sources, there are potential changes to registration practices needed so that non-binary could be recorded as an option where statistics are currently disaggregated between male and female, as in this situation is it likely to be difficult to report on the population identifying as non-binary.

It is expected that the Scottish Government's Working Group on Non-Binary Equality will consider how better recording, disaggregating and reporting of data could be used to improve equality for non-binary people. This guidance will be reviewed with a view to updating, in light of any relevant recommendations made by the Working Group.

12. Key Questions – Checklist for Data Collectors

This provides a list of the important questions those collecting data must be able to answer while collecting and using data about sex, and trans status.

Purpose

- Why are you collecting data on sex, and/or trans status?
- Are you clear how you are going to actually use the data to improve your services and promote equality?
- Which question or questions best meets your aims and purpose(s) of the data collection?
- Do you need to carry out a Data Protection Impact Assessment (DPIA)²⁹? This is a legal requirement when processing special category data³⁰.

Bias

- What are the steps you are taking to avoid bias and maximise response in the data collected?
- How would you know that there are no inherent biases in the data?

Once you have the data

- Does it tell you anything that can be used to improve your services and promote equality?
- How can you share it to maximise its value?
- How have you considered the maintenance of people's privacy in how you manage raw data and publish aggregate information?
- Do any surprising results need to be investigated further?

²⁹ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/what-is-a-dpia/>

³⁰ <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/special-category-data/what-is-special-category-data/#scd1>



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Social Security Scotland Statistics

Social Security Scotland client diversity and equalities analysis – December 2020 to May 2021

Frequency of publications

Under the Code of Practice for Official Statistics¹ we publish a timetable of statistical releases for the twelve months ahead².

This is an ad hoc publication. Future equalities analysis will appear in the timetable in due course.

¹ The Code of Practice is found online at: <https://code.statisticsauthority.gov.uk/>

² The forthcoming publication timetable is available at: <https://www.gov.scot/publications/official-statistics-forthcoming-publications/>

Introduction

This publication provides information on the diversity of clients applying to Social Security Scotland for Best Start Grant and/or Best Start Foods, Funeral Support Payment, Young Carer Grant, Job Start Payment and Scottish Child Payment. It also compares the outcomes of the applications by each of the equalities groups to assess if there is any variation in the rate of applications that are approved to receive the benefit payment. This publication does not cover Carer's Allowance Supplement or Child Winter Heating Assistance, as there are no applications for these payments. The publication does not yet cover Child Disability Payment, as applications for this benefit have only been received since July 2021.

The data covers the period 1st December 2020 to 31st May 2021. The method for collecting this information was improved on 9th December 2019, see [How Equalities data is collected](#).

Data has been de-duplicated to retain only one equalities monitoring form per client that applied during the period 1st December 2020 to 31st May 2021 and completed a form. Where multiple outcomes were available on different applications for an individual client, only the most recent outcome has been retained. The data presented here therefore does not contain all outcomes information for all clients. More detailed information about the number of applications received for individual benefits is available here: <https://www.gov.scot/collections/social-security-scotland-stats-publications/>.

The majority of responses in this publication were from applicants for Scottish Child Payment (53%), or Best Start Grant and Best Start Foods (37%), as there are a greater number of applications for these benefits compared to other benefits.

All tables and charts relating to this publication can be found at: <https://www.gov.scot/collections/social-security-scotland-stats-publications/#clientdiversityandequalitiesanalysis>

These statistics are being published as experimental statistics, which are defined in the Code of Practice for Statistics as "new official statistics undergoing evaluation. They are published in order to involve users and stakeholders in their development and as a means to build in quality at an early stage". These statistics have not yet been assessed by the UK Statistics Authority, so have not been designated as National Statistics³.

³ For more information on experimental statistics please see:

<https://osr.statisticsauthority.gov.uk/policies/official-and-national-statistics-policies/experimental-statistics/>

Main findings

- Comparing all client diversity data, there are differences in approval rates for some equalities groups. The equalities groups with the greatest variation in approval rate are summarised in the following table, which shows only the maximum and minimum approval rates within each of these groups. Full results are discussed in detail by equalities group in the sections below and are presented in the accompanying tables.

Equalities group	Highest approval rate		Lowest approval rate		Percentage point difference in approval rate
Ethnicity	Mixed or multiple ethnic groups	78%	Other ethnic group	69%	9
Gender	Women	77%	Men	68%	9
Sexual orientation	Bisexual	78%	In another way*	69%	9
Religion	Pagan	82%	Hindu	51%	31
Age	65 and over	81%	35-44	74%	7
SIMD	Most deprived decile	79%	Least deprived decile	68%	11

*Clients that specifically identified 'In another way' had the lowest approval rate. Additional groups not presented here include 'Gay & Lesbian', 'Heterosexual' and 'Prefer not to say' – these are discussed in the [sexual orientation](#) section below.

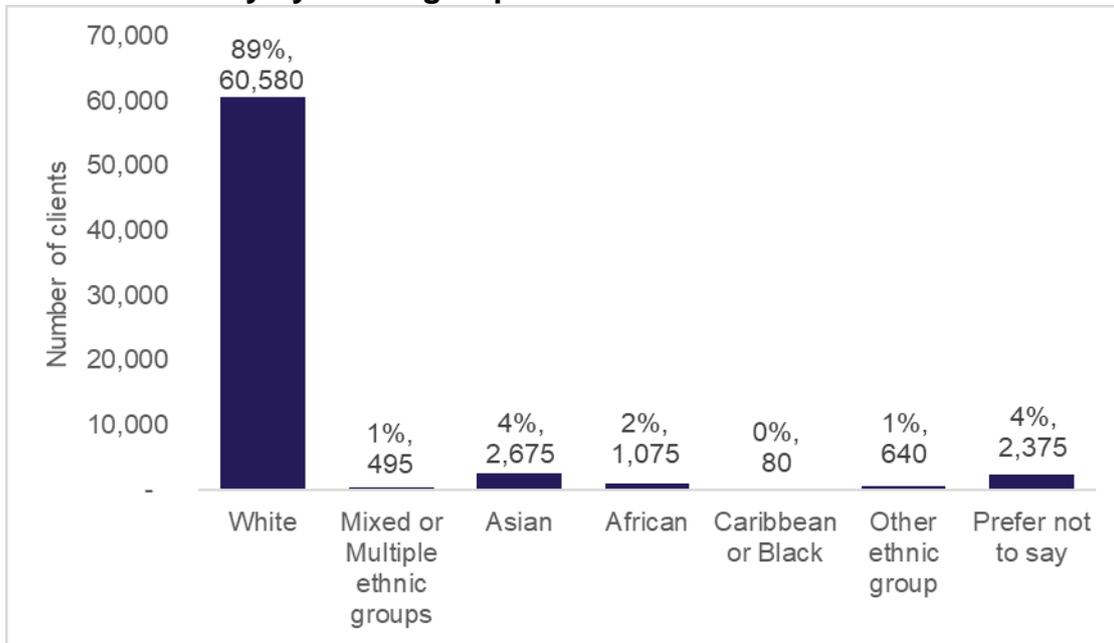
- While we have previously commented that small numbers for some groups of clients could contribute to differences in approval rates, all groups in the table above were relatively large, with the smallest group being 140 Hindu clients.
- In general, approval rates are no longer affected by clients living outside Scotland being denied payments. This is because a smaller proportion of those applying lived outside Scotland in this release (less than 1%) compared to previous publications covering June 2020 to November 2020 (2%) and December 2019 to May 2020 (7%). This is likely to be due to changes to the application process as described in the [data quality](#) section.
- This is the first equalities analysis to include approval rates for Scottish Child Payment. The approval rate for Scottish Child Payment is relatively high, and this has increased the approval rate for clients as a whole in the period December 2020 to May 2021, compared to previous publications. While the breakdown of clients applying for Scottish Child Payment tends to be similar to Best Start Grant and Best Start Foods, patterns in approval rates are not always similar. For example, transgender clients have a similar approval rate for Scottish Child Payment as clients not identifying as transgender, whereas there is an 11 percentage point difference for Best Start Grant and Best Start Foods. Approval rates for Best Start Grant also decrease with age, whereas this was less pronounced for Scottish Child Payment.
- New analysis of applications by [application channel](#) shows that applications received by phone were more likely to be approved (90%) than online

applications (76%) or mail applications (70%). This applied across all benefits except for Job Start Payment, for which approval rates were similar for online and phone applications.

Ethnicity

- Around nine in ten (89%) clients self-identified their ethnic group as ‘White’⁴, with clients identifying as one of the other listed ethnic groups accounting for 8% (Chart 1, Table 1). The remaining 4% chose ‘Prefer not to say’. The second largest ethnic group was ‘Asian, Asian Scottish or Asian British’, accounting for 4% of the total. In Scotland’s 2011 census 96% of the total population of Scotland were ‘White’, with the remaining 4% being from the other listed ethnic groups⁵.
- For individual benefits, the proportion of clients identifying as ‘White’ was highest for Young Carer Grant (91%) and Job Start Payment (94%). The proportion of clients identifying as ‘Asian’ was lowest for Funeral Support Payment (1%) and Job Start Payment (2%). The proportion choosing to ‘Prefer not to say’ was highest for Funeral Support Payment (8%).

Chart 1: Client diversity by ethnic group



- Overall, the proportion of clients approved was highest for ‘Mixed or multiple ethnic groups’ (78%), followed by ‘African’ (77%), ‘White’ (76%) and ‘Prefer not to say’ (76%). Approval rate was lowest for clients identifying as ‘Other ethnic group’ (69%), followed by ‘Asian’ (71%) and ‘Caribbean or Black’ (74%). In previous publications ‘White’ clients have had the highest approval rates, with ‘Asian’ clients the having lowest approval rates.
- For most groups nearly all clients were living in Scotland, so clients not living in Scotland did not have a big impact on approval rates. The exception was for ‘Caribbean and Black’ clients, as a small percentage did not live in Scotland, and were therefore likely to be denied a payment. Removing these

⁴ The categories included within white are ‘Scottish’, ‘Other British’, ‘Irish’, ‘Gypsy/Traveller’, ‘Polish’ and ‘Other white ethnic group’

⁵ [2011 Census: Release 2A](#) (Published: 2013, NRS)

clients from the analysis increased the approval rate for 'Caribbean and Black' clients from 74% to 77% (Table 1).

- At individual benefit level, approval rates appear quite variable which is likely to be due to small numbers of clients not identifying as 'White' by benefit, except for Best Start Grant and Best Start Foods, and Scottish Child Payment. 'Asian' and 'Other ethnic group' clients had the lowest approval rates for both of these benefits.

Chart 2: Application outcome by ethnic group – all applications

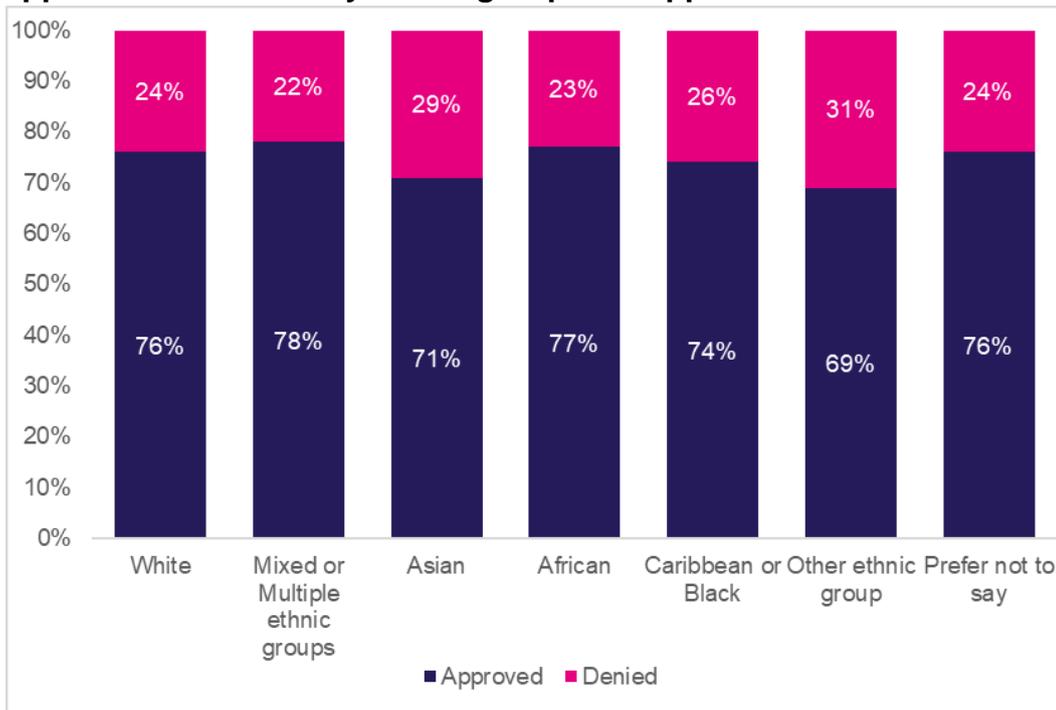
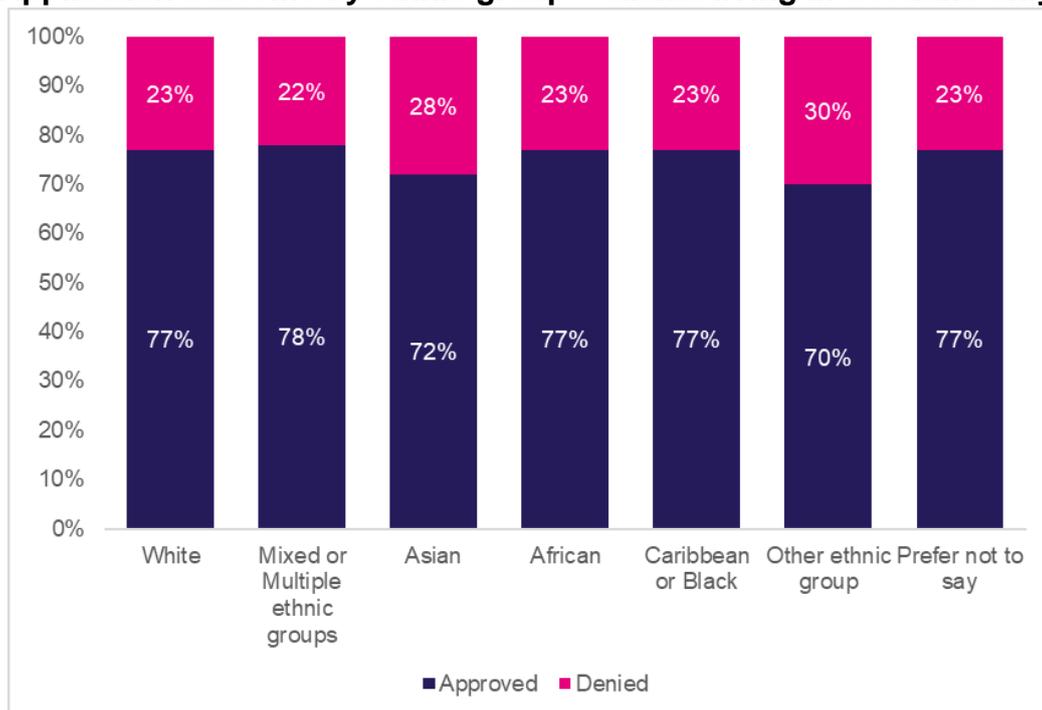


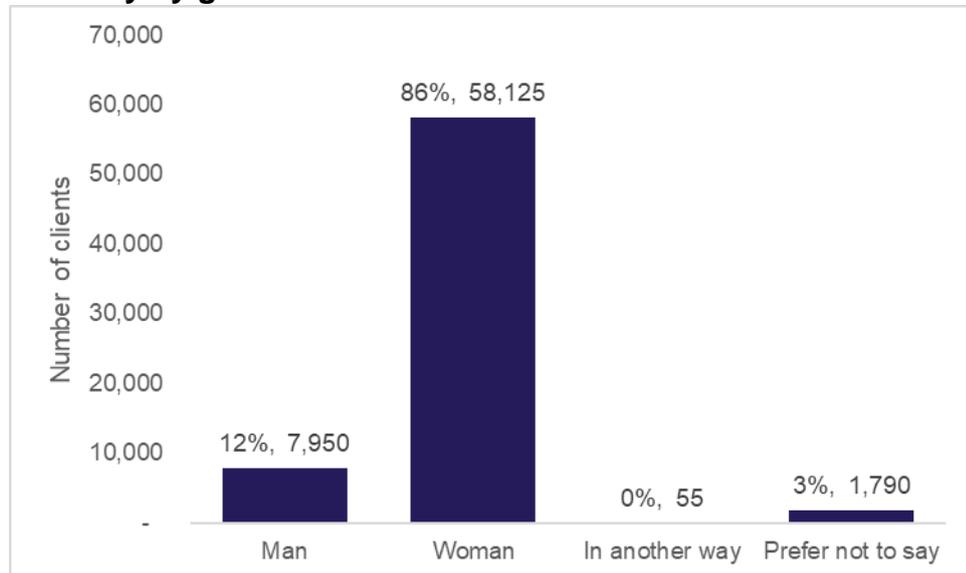
Chart 3: Application outcome by ethnic group – clients living in Scotland only



Gender

- The proportion of clients who self-identified as 'Man' (12%) remained lower than those who self-identified as 'Woman' (86%) (Chart 4, Table 2). In Scotland in 2020, 52% of the population aged 16 and over were female, and 48% were male.⁶
- Because the majority of equalities data were from applicants for Scottish Child Payment or Best Start Grant or Best Start Foods, the high proportion of women applying for these benefits (89% and 90% respectively) has a disproportionate impact on the gender breakdown for clients as a whole. For Young Carer Grant and Funeral Support Payment, there were more clients identifying as women but they accounted for 57% and 60% clients respectively. Job Start Payment remained the only benefit with a higher proportion of clients identifying as men (53%).

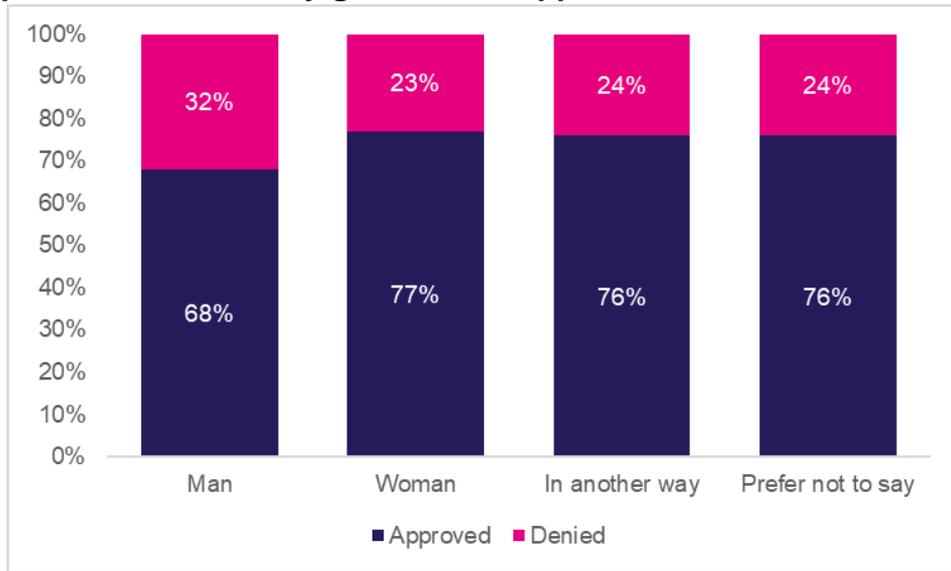
Chart 4: Client diversity by gender



- The proportion of clients approved was higher for women (77%) than men (68%), and this was the same when analysing clients living in Scotland only (Table 2). The difference in approval rates is similar to previous statistics covering to November 2020.
- Approval rates were higher for women across all benefits except Young Carer Grant, where 76% of women were approved compared to 80% of men. The benefits with the greatest difference in approval rates between men and women were Best Start Grant and Best Start foods (49% men approved, 62% women approved) and Scottish Child Payment (78% men approved, 88% women approved).
- The difference in approval rates between men and women widened for Best Start Grant and Best Start Foods, with less than half of men approved (49%) compared to 62% of women.

⁶ [Mid-2020 Population Estimates Scotland](#) (Last updated: June 2021, National Records of Scotland)

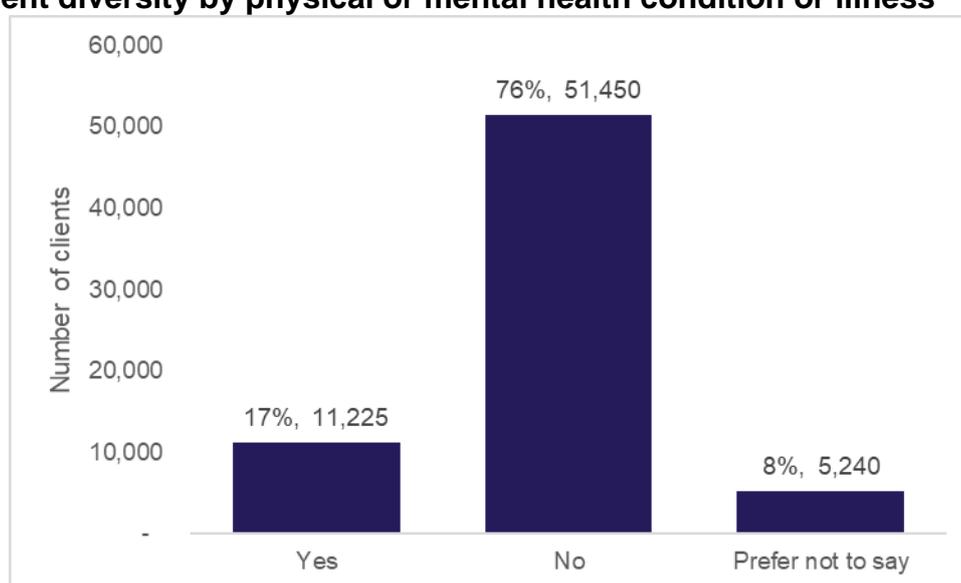
Chart 5: Application outcome by gender – all applications



Physical or mental health condition or illness

- The proportion of clients who self-identified as having a physical or mental health condition or illness lasting or expected to last 12 months or more is 17% compared to 76% who don't (Chart 6, Table 3). There is no directly comparable data for Scotland as a whole, but 31% of adults had a long-term limiting mental or physical health condition or disability in Scotland in August/September 2020⁷.
- At individual benefit level, the proportions were similar for most benefits, except Funeral Support Payment where 33% of clients identified as having a physical or mental health condition or illness. This may relate to the older ages of clients applying for Funeral Support Payment (Table 8b).

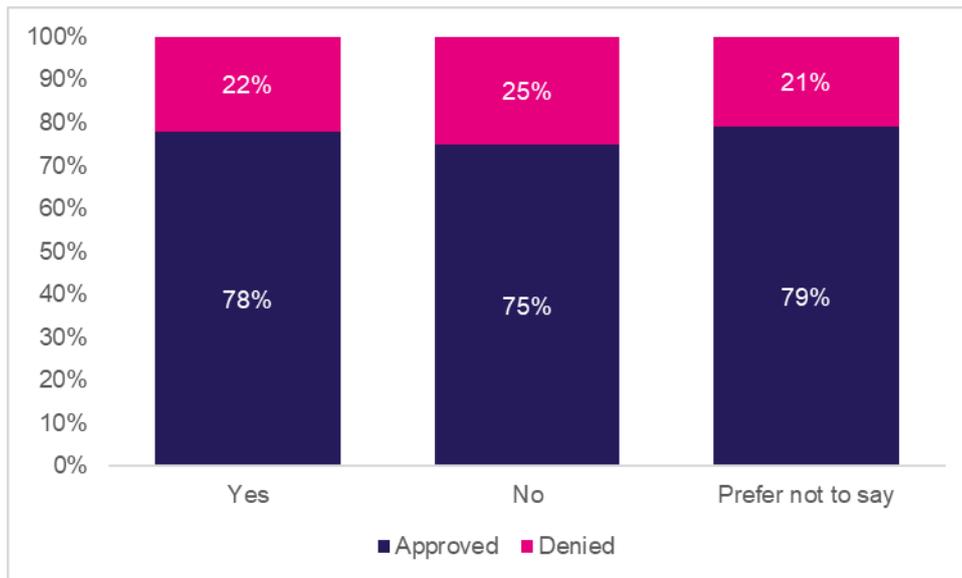
Chart 6: Client diversity by physical or mental health condition or illness



- Clients that have a physical or mental health condition or illness lasting or expected to last 12 months or more had a slightly higher approval rate (78%) than clients that did not (75%) (Table 3, Chart 7). This was similar when looking at clients from Scotland only (78% compared to 76%), and is similar to statistics covering previous time periods. All individual benefits followed this pattern except for Young Carer Grant, where there was slightly lower approval rate for clients who identified as having a physical or mental health condition or illness (74% compared to 78%).

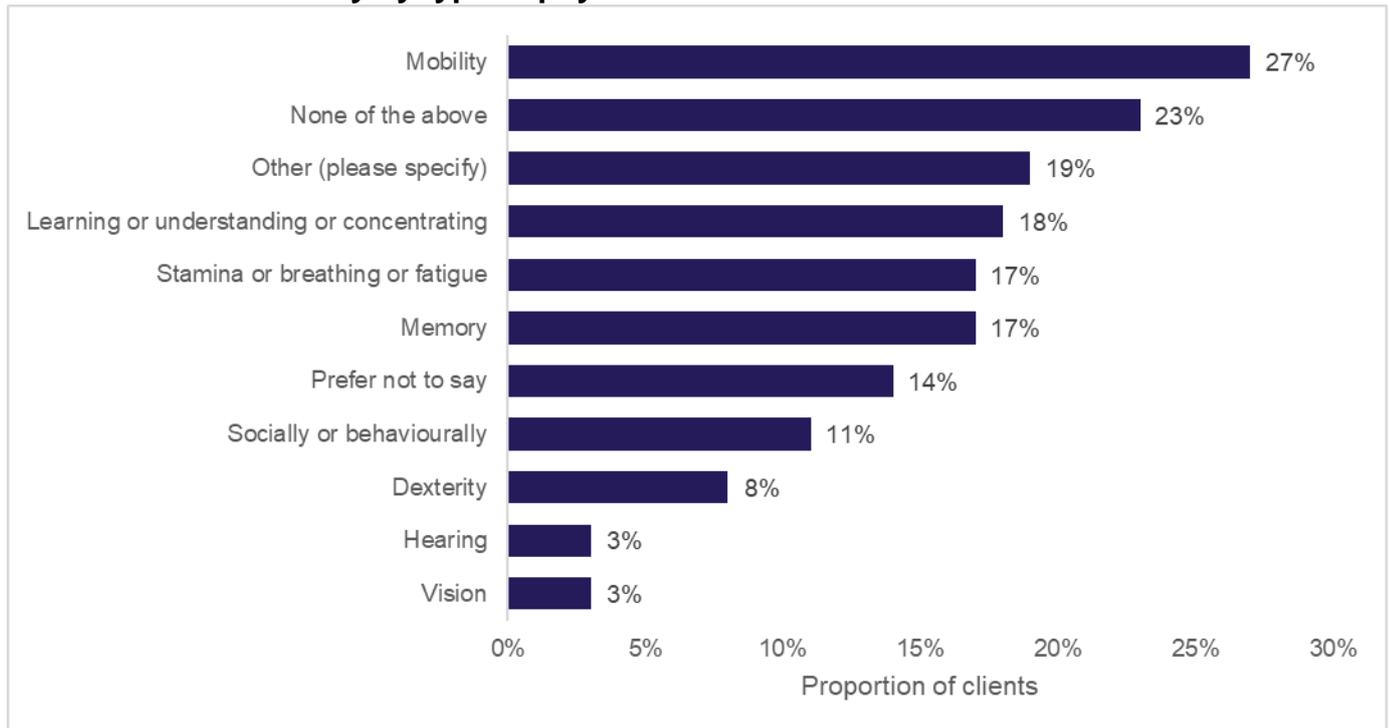
⁷ [Scottish Health Survey 2020](#), Table 1.2

Chart 7: Application outcome by physical or mental health condition or illness – all applications



- Of those clients that identified as having a physical or mental health condition or illness, 27% identified as having a condition or illness affecting 'Mobility', 17-18% had a condition or illness affecting 'Learning or understanding or concentrating', 'Memory', and 'Stamina or breathing or fatigue', with smaller proportions with affected 'Vision', 'Hearing', 'Dexterity' or 'Socially or behaviourally' (Table 4, Chart 8).
- Types of condition or illness varied between benefits. For example, a higher proportion of Funeral Support Payment clients that identified as having a condition or illness specified that this affected 'Mobility' (50%) or 'Stamina or breathing or fatigue' (31%).
- Approval rates ranged from 76% (for clients that identified as having a physical or mental health condition or illness which was not listed as an option – 'None of the above') to 82% for those with affected 'Vision'.

Chart 8: Client diversity by type of physical or mental health condition or illness

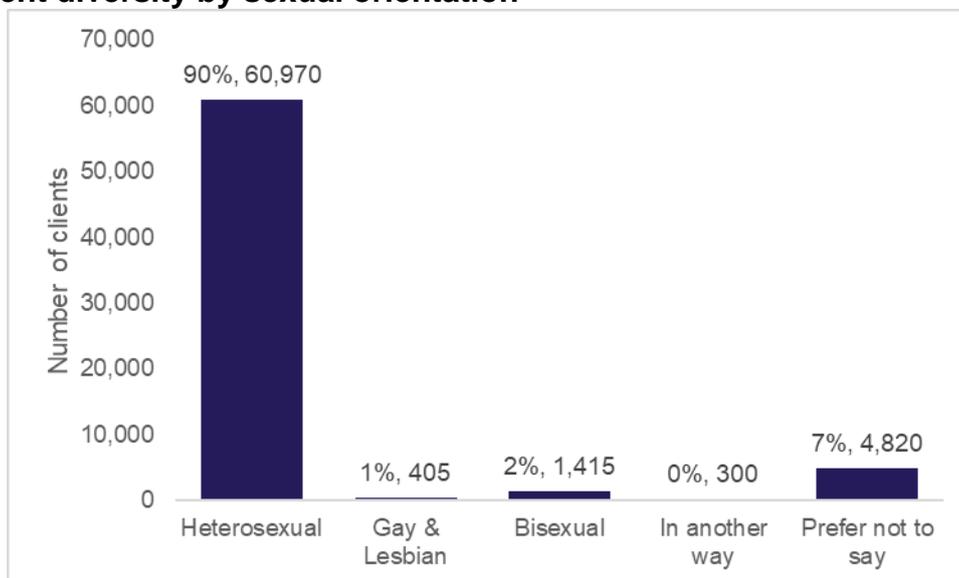


This chart only includes responses from clients that also reported they had a physical or mental health condition or illness lasting or expected to last 12 months or more. Clients may have indicated that they had more than one physical or mental health condition or illness.

Sexual Orientation

- Individuals who self-identified as 'Heterosexual' accounted for 90% of clients compared to 1% who identified as 'Gay and Lesbian', 2% as 'Bisexual' and less than 1% as 'In another way'. 'Prefer not to say' was chosen by 7% of clients (Chart 9, Table 5). Latest results from Scottish Surveys Core Questions show that in Scotland, 94% of adults self-identified as 'Heterosexual' compared to around 3% who self-identified as 'Lesbian, gay, bisexual or other' in 2019⁸.
- Looking at benefits individually, there were relatively fewer clients identifying as 'Heterosexual' for Funeral Support Payment (85%), Job Start Payment (83%) and Young Carer Grant (81%). For Funeral Support Payment, more clients chose 'Prefer not to say' (13%), while for Job Start Payment and Young Carer Grant more clients identified as 'Gay and Lesbian', 'Bisexual' or 'In another way'.

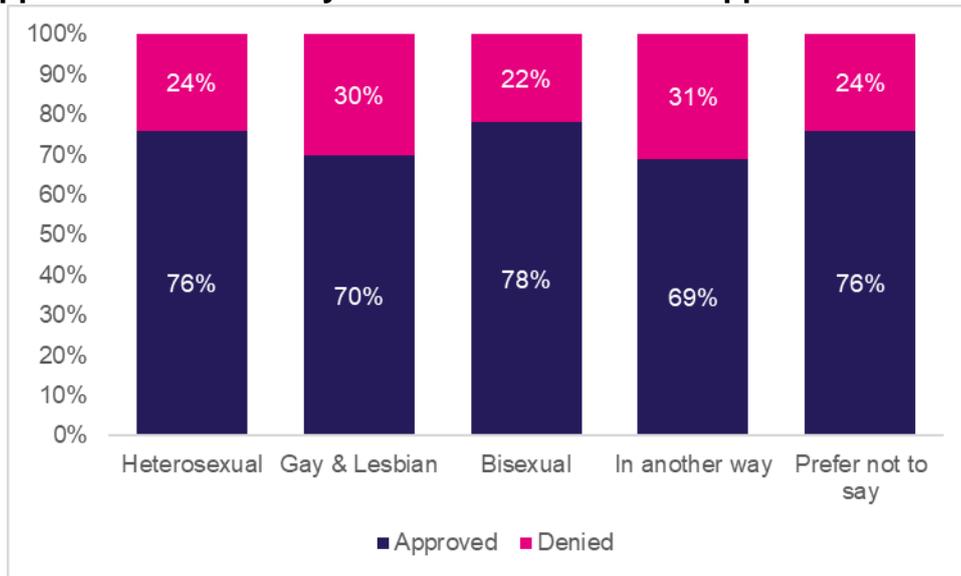
Chart 9: Client diversity by sexual orientation



- Looking at all applications, approval levels were higher for 'Heterosexual' (76%) and 'Bisexual' clients (78%), and lower for 'Gay and Lesbian' clients (70%) and clients that identified 'In another way' (69%) (Table 5, Chart 10). This is similar to previous statistics covering June to November 2020, and is not explained by the proportion of clients living in Scotland. This pattern is similar for Best Start Grant and Best Start Foods and Scottish Child Payment. Approval rate patterns were different for Job Start Payment and Young Carer Grant, with relatively low approval rates for 'Heterosexual' clients and 'Bisexual' clients respectively for these benefits. Numbers not identifying as 'Heterosexual' were relatively small for Funeral Support Payment, and approval rates may be affected by small numbers of clients.

⁸ [Scottish Surveys Core Questions 2019 - Supplementary Tables](#) (Last updated: January 2021)

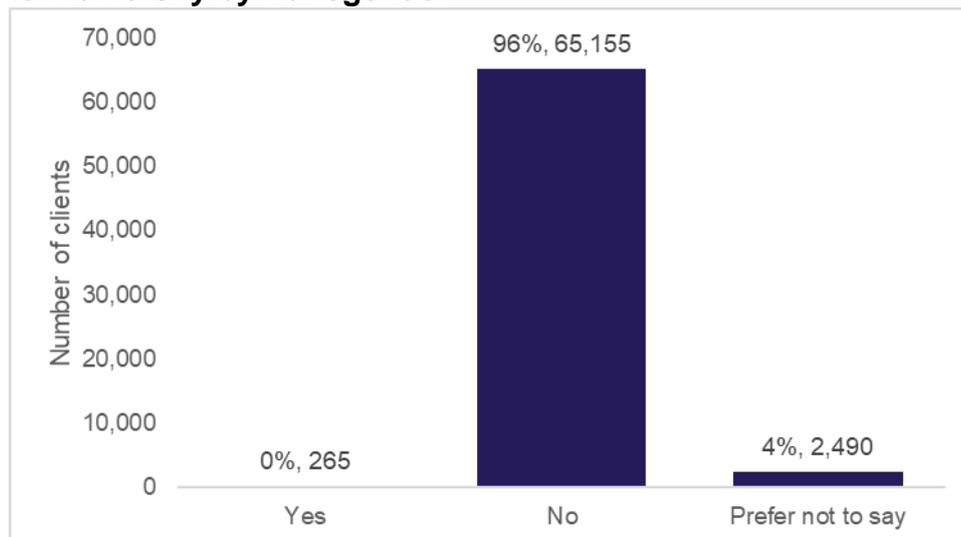
Chart 10: Application outcome by sexual orientation – all applications



Transgender

- Less than one percent of the clients who responded to the Equalities Monitoring and feedback form self-identified as transgender, and 4% chose 'Prefer not to say' (Chart 11, Table 6). The Gender Identity Research and Education Society estimates that between 0.6% and 1.0% of the UK population were transgender⁹. Proportions were similar across benefits, with slightly more clients choosing 'Prefer not to say' for Funeral Support Payment (9%).

Chart 11: Client diversity by transgender



- Overall a lower proportion of transgender clients were approved (72%) in comparison to clients that did not identify as transgender (76%) or those that chose 'Prefer not to say' (75%) (Table 6). The difference in approval rates has decreased since June to November 2020. This appears to be due to two factors:
 - Firstly, a smaller percentage of transgender clients were from outside Scotland (3%) compared to the previous period (11%). Transgender clients were therefore less likely to be rejected based on not living in Scotland. Accounting for the 3% clients living outside Scotland, who were likely to be denied a payment, the approval rate for transgender clients was 74% compared to 76% for clients not identifying as transgender.
 - Secondly, in the current reporting period Scottish Child Payment clients account for a large proportion of overall client numbers. The approval rate for transgender Scottish Child Payment clients was higher (88%) than for clients not identifying as transgender (87%).
- The number of transgender clients for other specific benefits was generally very low except for Best Start Grant and Best Start Foods, making comparisons of approval rates by benefit less reliable. For Best Start Grant

⁹ [Gender Identity Research and Education Society \(GIRES\) - The number of Gender Variant People in the UK \(update 2011\)](#) (Published: 2011, GIRES)

and Best Start Foods, there was a lower approval rate for transgender clients (50%) than clients that did not self-identify as transgender (61%). The difference in approval rates has decreased since the previous reporting period.

Chart 12: Application outcome by transgender – all applications

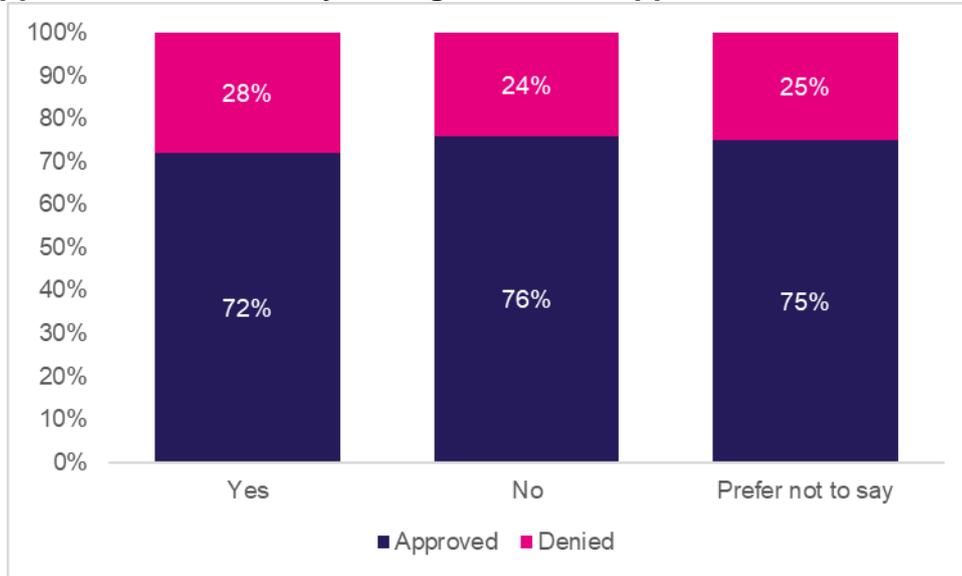


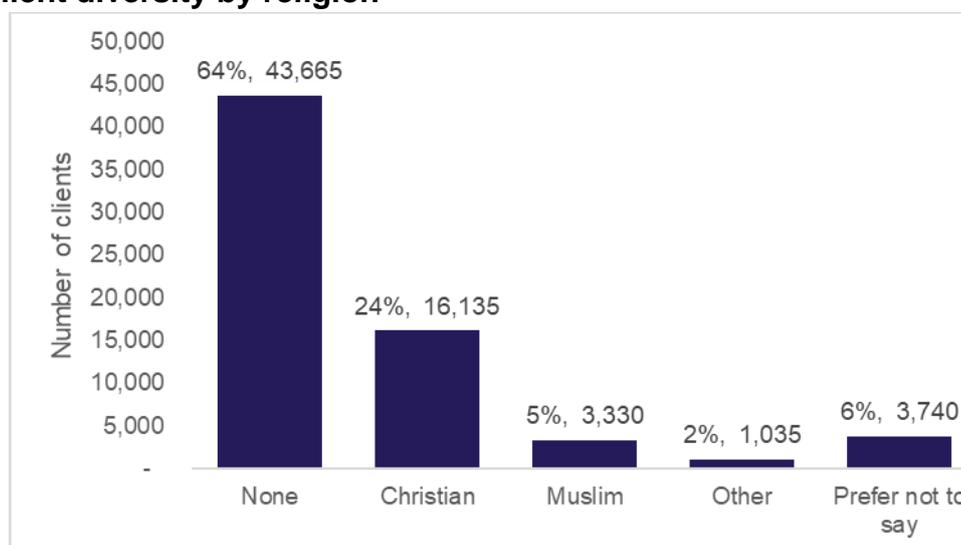
Chart 13: Application outcome by transgender – clients living in Scotland only



Religion

- The proportion of clients that have no religion is 64% compared to 12% 'Roman Catholic', 7% 'Church of Scotland', 5% 'Muslim' and 5% 'Other Christian'. There were also 6% who chose 'Prefer not to say'. Other religions accounted for small numbers of clients (Chart 14, Table 7). This breakdown is different to Scotland as a whole, where 54% Scottish surveys respondents reported having no religion in 2019, with 22% Church of Scotland, 14% Roman Catholic, 7% Other Christian and 2% Muslim¹⁰. The higher percentage of clients with no religion compared to the general population could be related to many clients being from younger [age groups](#). Many clients are young parents applying for Best Start Grant, Best Start Foods or Scottish Child Payment, with some additional young clients applying for Job Start Payment or Young Carer Grant. In Scotland, there is a higher level of adults with no religion in the 16-24 age group and this declines as age increases¹⁰.
- At individual benefit level, the proportion with no religion was lower for Funeral Support Payment (44%), with Roman Catholic (18%) and Church of Scotland (19%) accounting for more clients. The proportion with no religion was highest for Job Start Payment (78%). Again these differences may relate to the age of clients applying for different benefits.

Chart 14: Client diversity by religion



*Christian includes Church of Scotland, Roman Catholic and Other Christian

- Approval rate varies among religions, but among the most represented groups there was less variation in December 2020 to May 2021 than in the previous reporting period. Among the most well represented groups, approval rate was highest for those with no religion (77%), followed by Roman Catholic (75%), Muslim (75%), Church of Scotland (74%), and Other Christian (74%). These groups had relatively similar approval rates when looking at Scottish Child Payment individually (83-87%), but approval rates

¹⁰ [Scottish Surveys Core Questions 2019](#)

varied more for Best Start Grant and Best Start Foods (55% for Church of Scotland compared to 66% for no religion). For other individual benefits, approval rates were very variable among religions but this is likely to be related to very small numbers of clients for some groups.

- Overall approval rates remained particularly low for Hindu clients (51%), with Jewish clients (61%), Sikh clients (68%) and Buddhist clients (70%) also having relatively low approval rates. These low approval rates are not explained by the proportion of clients living in Scotland (Table 7). The difference in approval rates between clients with no religion and Hindu clients was larger for Scottish Child Payment (30 percentage points) than for Best Start Grant and Best Start Foods (23 percentage points).

Chart 15: Application outcome by religion – all applications

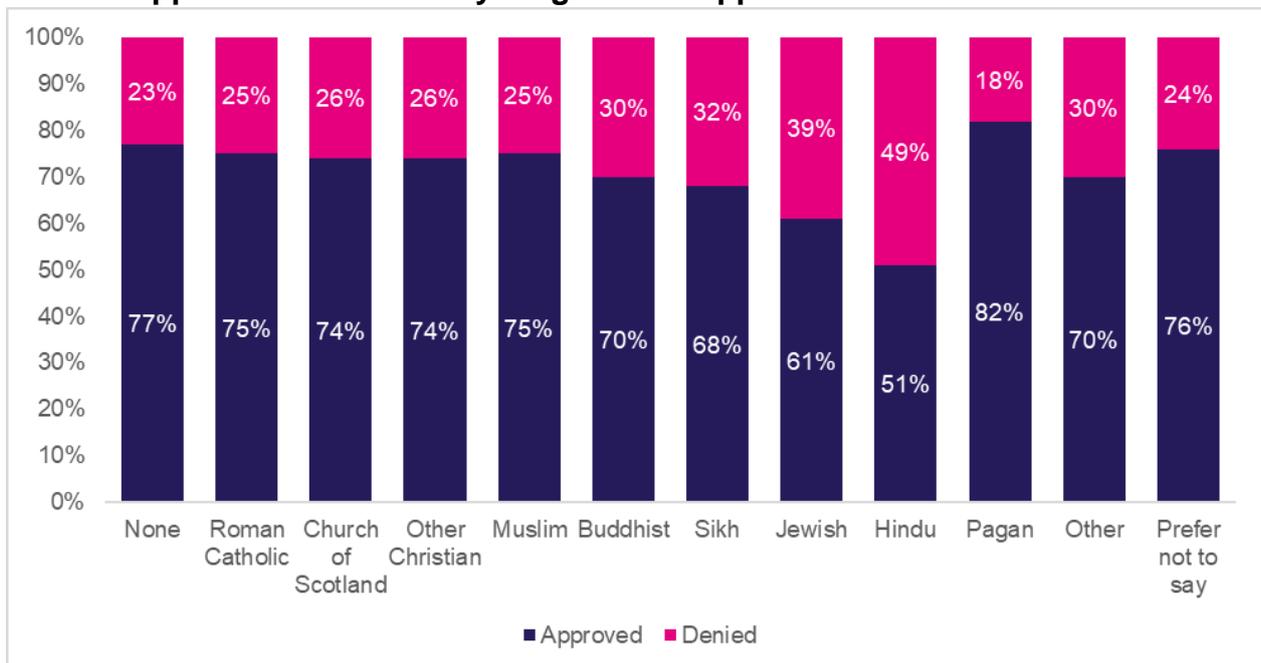
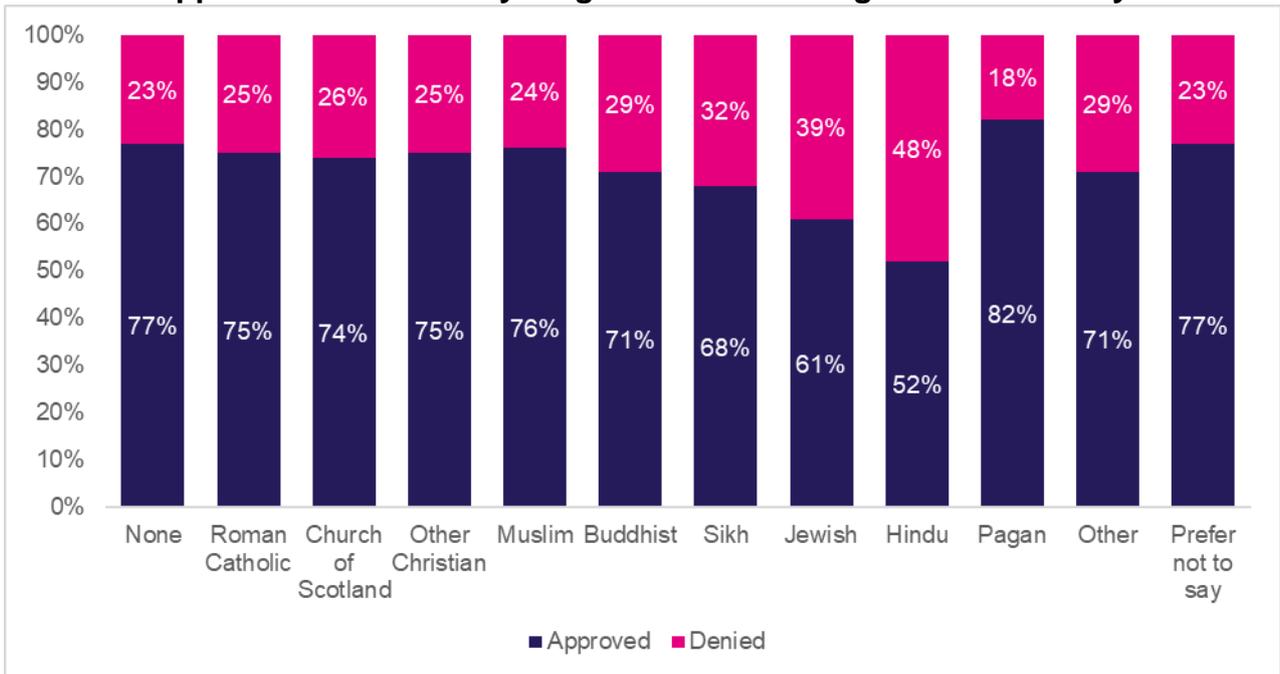


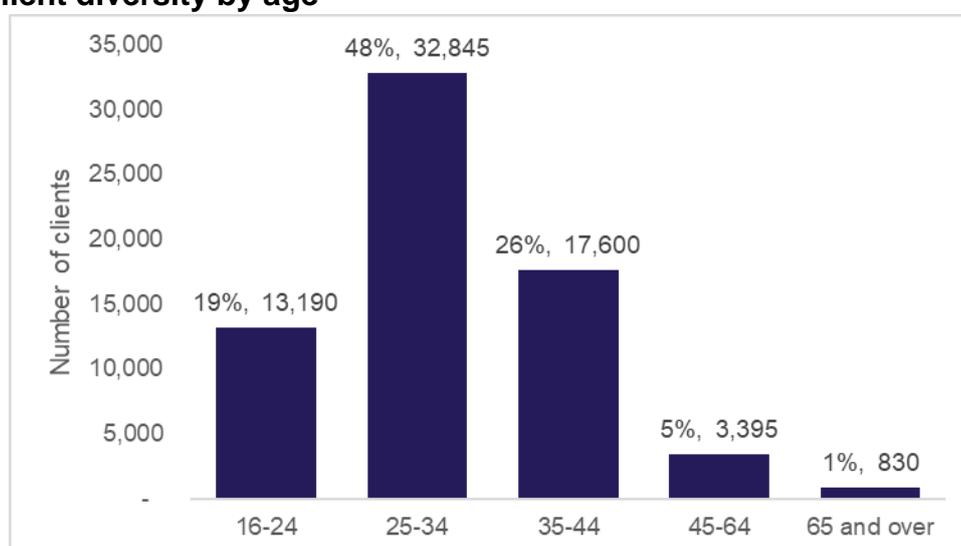
Chart 16: Application outcome by religion – clients living in Scotland only



Age

- 93% of clients are under 45 years old. The highest proportion of clients are in the 25–34 age group (48%) with only 1% aged 65 and over (Chart 14, Table 8). The breakdown of clients by age group differs to the population in Scotland as a whole, where for example 17% of people aged 16 or over fall into the 25-34 age group and 23% are aged 65 or over¹¹. This difference is expected as 90% of equalities forms analysed were for Best Start Grant and Best Start Foods or Scottish Child Payment, and applicants for these benefits are likely to be younger and have children under 6 years old (Table 8). Tables 8a and 8d show that for each of these two benefits, over half of clients were aged 25-34.

Chart 17: Client diversity by age



- Approval rate was highest in the 65 and over age group (81%), followed by the 16-24 age group (79%), and was lowest in the 34-44 age group (74%). This is different to the previous publication covering June to November 2020 where we reported increasing approval rate with age. Overall approval rates are influenced by approval rates and client age groups for specific benefits. For example, 96% of clients aged 65 and over were applying for Funeral Support Payment (Table 8f), which has a relatively high approval rate (85%), and this will increase the overall approval rate for clients in this age group.
- Looking benefits individually, 16-24 year olds had a higher approval rate than other age groups for Best Start Grant and Best Start Foods, and a lower approval rate than other age groups for Funeral Support Payment. However, because only 1% of 16-24 year olds were applying for Funeral Support Payment (Table 8f), this lower approval rate had relatively little impact on the overall approval rate for 16-24 year olds.
- Age is the only characteristic analysed here which also forms part of the eligibility rules for a benefit. For Job Start Payment, clients must be aged 16 to 24 (or 25 if they are care leavers), while for Young Carer Grant, clients

¹¹ [Mid-2020 Population Estimates Scotland](#)

must be aged 16 to 18 (or older if the delay in applying was due to COVID-19). These criteria impact the age profile and approval rates by age group for these benefits, with most applicants being in the youngest age group, and most applicants in other age groups being denied.

- Age information presented here is for clients who completed equalities monitoring forms, de-duplicated to one outcome for each client. A more detailed breakdown of age for all clients applying since each benefit launched is available in the latest official statistics publications for Best Start Grant and Best Start Foods, Job Start Payment, Scottish Child Payment and Young Carer Grant at <https://www.gov.scot/collections/social-security-scotland-stats-publications/>. Information for Funeral Support Payment is not currently available.

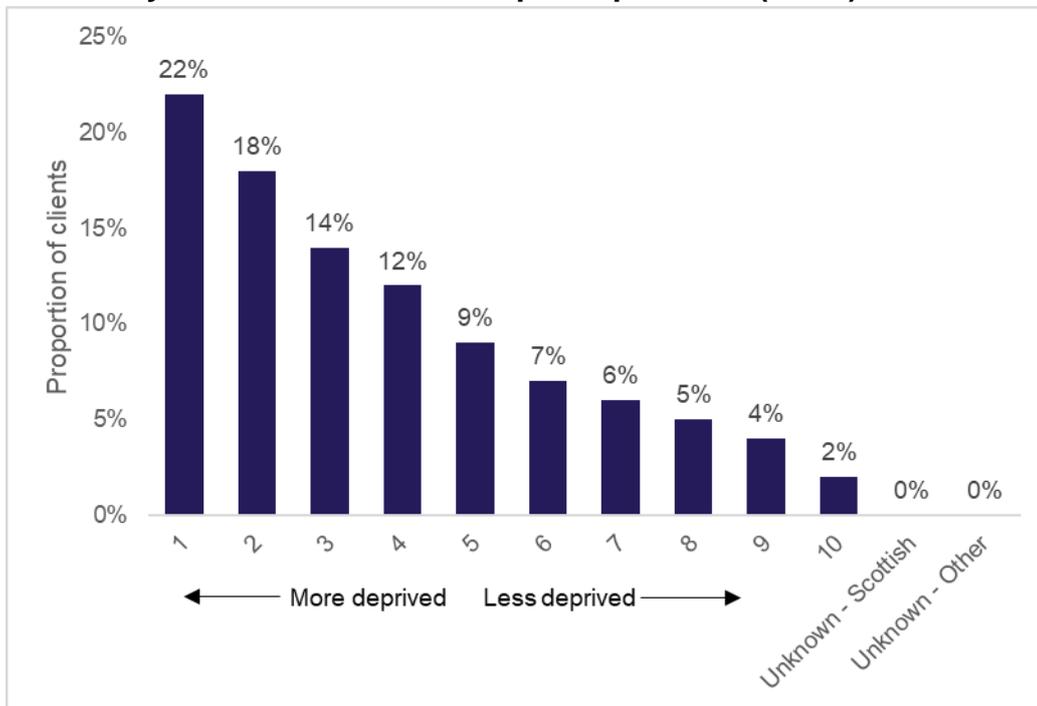
Chart 18: Application outcome by age – all applications



Geography

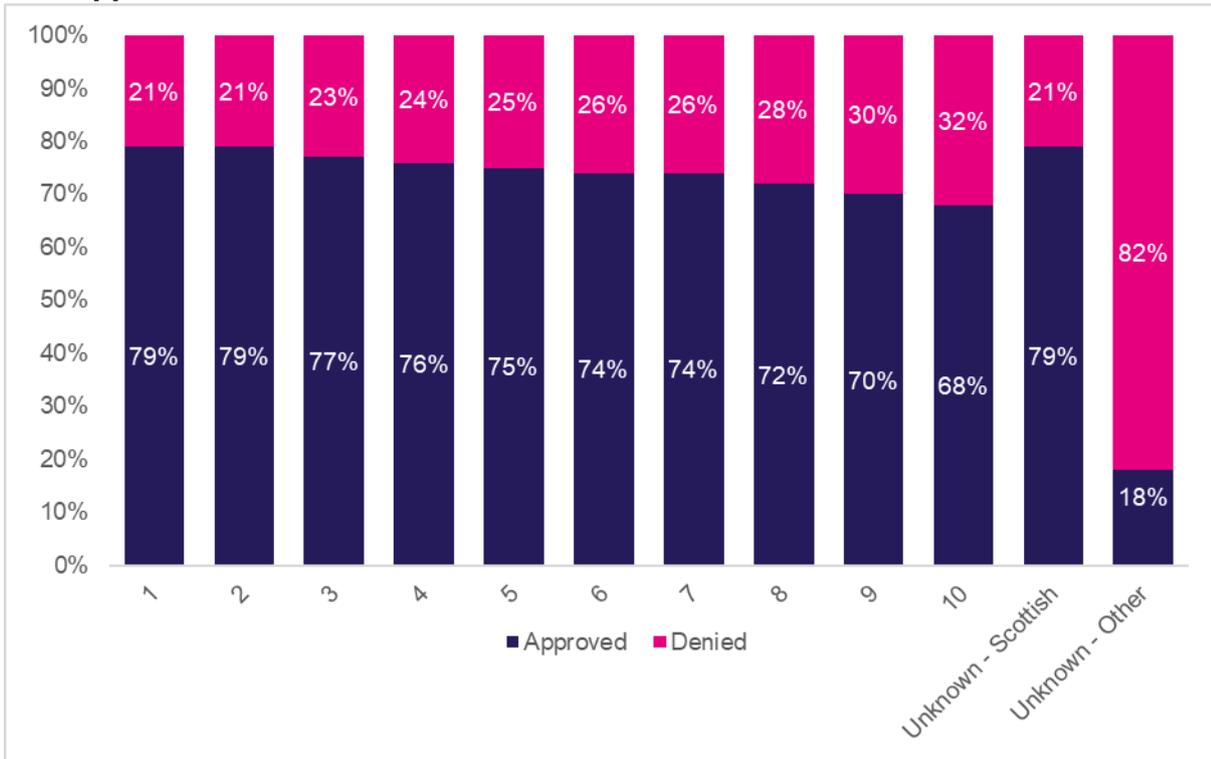
- Approximately 10% of the population of Scotland live in each decile of the Scottish Index of Multiple Deprivation (SIMD), which can be used to rank areas from decile 1 (the most deprived areas) to 10 (the least deprived areas). Social Security Scotland clients lived across all deciles of the SIMD, including the least deprived (2% clients), but a disproportionate number lived in the more deprived deciles (Table 9, Chart 16). For example, around one in five clients (22%) lived in the most deprived decile, and more than half (54%) of clients lived in the three most deprived deciles, compared to 28% of the population aged 16 and over in 2020¹². This pattern was similar across all benefits, and is expected given that the benefits being reported on (excluding Young Carer Grant) are to support people on low incomes.
- Approval rates were also higher in the most deprived deciles, and lower in the least deprived deciles (Table 9, Chart 17). This was similar across Best Start Grant and Best Start Foods, Scottish Child Payment and Funeral Support Payment. For Young Carer Grant, approval rates generally decreased in more deprived areas. This benefit may not follow the same pattern because eligibility is based on being a carer rather than income. For Job Start Payment, approval rate was similar for most SIMD deciles, except for the two least deprived deciles where approval rate was higher.

Chart 19: Clients by Scottish Index of Multiple Deprivation (SIMD) decile



¹² [Population Estimates by Scottish Index of Multiple Deprivation \(SIMD\)](#)

Chart 20: Application outcome by Scottish Index of Multiple Deprivation (SIMD) decile – all applications



- Three quarters (75%) of clients lived in ‘Large Urban’ or ‘Other Urban’ areas, and this was similar across benefits (Table 10). This is similar to the population as a whole, where it is estimated that 71% of people aged 16 or over lived in ‘Large Urban’ or ‘Other Urban’ areas in 2020¹³. Overall approval rates are relatively similar across different urban and rural areas, with highest approval rates in Large Urban Areas (77%), Other Urban Areas (77%) and Very Remote Small towns (78%), and lowest approval rates in Remote Small Towns (74%), Accessible Rural Areas (74%) and Very Remote Rural Areas (74%). At individual benefit level approval rates appear to vary more by urban and rural classification, however, some of this variation may be due to small numbers of clients. For the two benefits with larger numbers of clients, Best Start Grant and Best Start Foods and Scottish Child Payment, approval rates were lowest in Very Remote Rural Areas.

¹³ [Population Estimates by Urban Rural Classification \(2011 Data Zone based\)](#)

Chart 21: Clients by Urban Rural 2016 8-fold

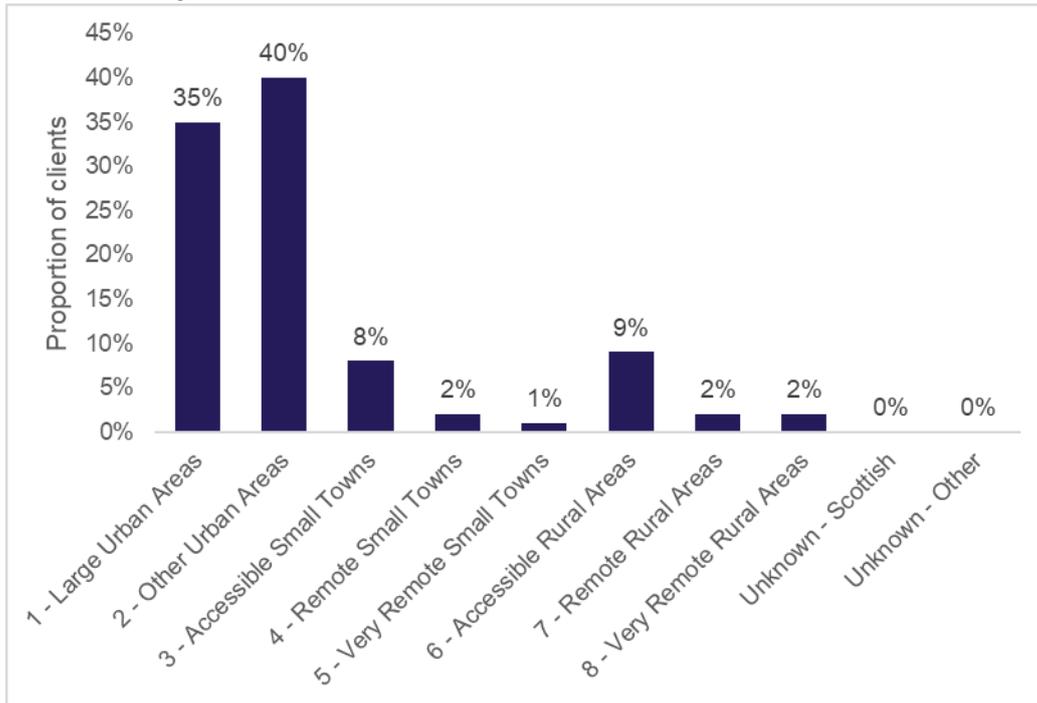
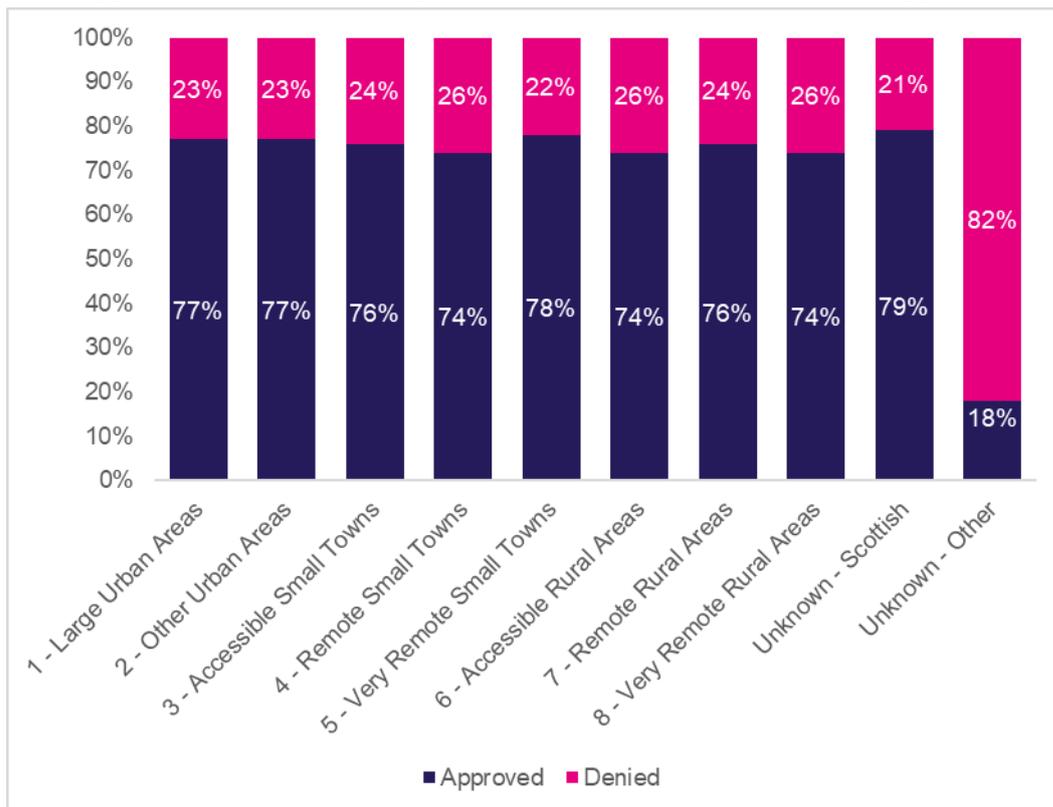


Chart 22: Application outcome by Urban Rural 2016 8-fold – all applications



- Around 1% of applications came from clients living on Scottish islands (Table 11), compared with 98% on the Scottish mainland. This was similar across all benefits. In comparison 2% of the Scottish population lived on islands according to the 2011 Census, with numbers having increased since

2001¹⁴. Overall the approval rate was similar but slightly lower for islands (74%) and the mainland (76%), and this was similar for the two benefits with larger numbers of clients, Best Start Grant and Best Start Foods (58% versus 61%), and Scottish Child Payment (83% versus 87%). Approval rates for other benefits appear to vary for islands compared to the mainland, although this is likely to be due to very small numbers for islands at individual benefit level.

Application channel

- Most clients who completed equalities monitoring forms had applied online (95%), compared to 4% by phone and 1% by mail. The percentage applying online was slightly higher for Young Carer Grant (97%), Job Start Payment (97%) and Scottish Child Payment (98%). Clients applying for Funeral Support Payment were more likely to use phone applications (33%), and less likely to use online applications (65%). Overall, these patterns are similar to official statistics on applications received for each benefit. However, as not all clients applying by mail or phone completed equalities monitoring forms (as described in the [background note](#)), the equalities data includes a higher proportion of online applications and lower proportion of mail and phone applications than the official statistics by benefit.
- Applications received by phone were more likely to be approved (90%) than online applications (76%) or mail (70%). This applied across all benefits except for Job Start Payment, for which approval rates were similar for online and phone applications. It is unclear why approval rates are higher for phone applications.

Chart 23: Clients by application channel

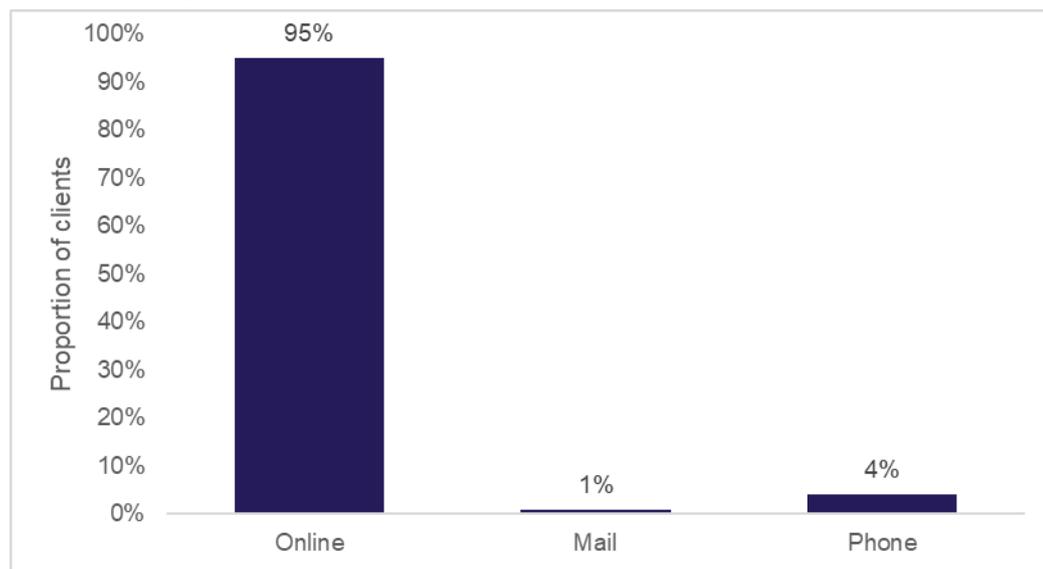
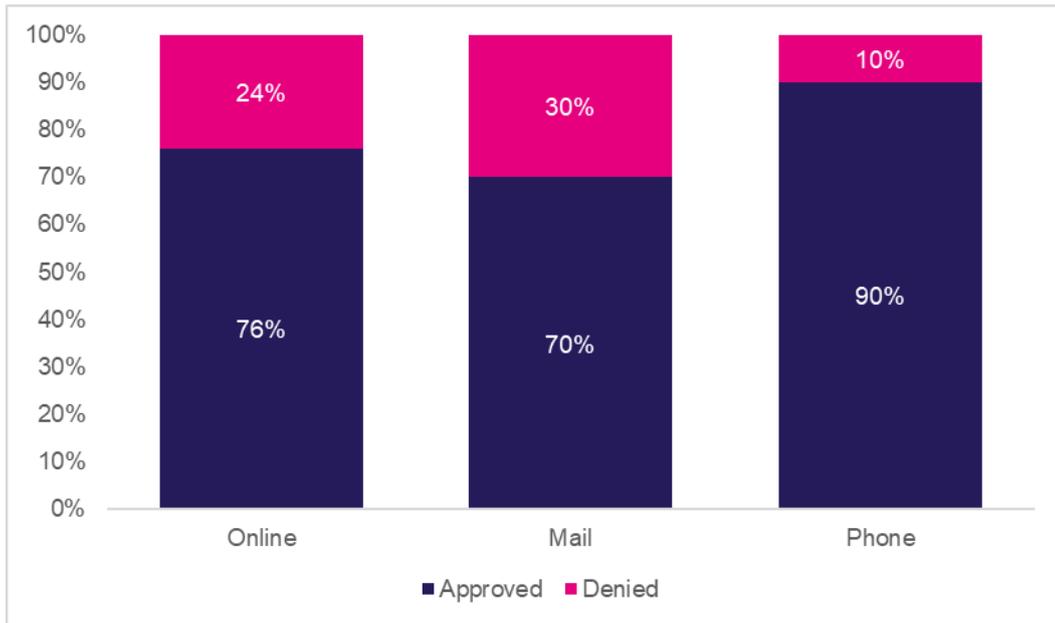


Chart 22: Application outcome by channel – all application



About the Equalities data

How Equalities data is collected

Social Security Scotland is the executive agency of Scottish Government which is responsible for delivering social security benefits for Scotland. Social Security Scotland began taking applications for Best Start Grant Pregnancy and Baby payment on 10 December 2018, followed by Best Start Grant Early Learning Payment on 29 April 2019, School Age Payment on 3 June 2019, Best Start Foods on 12 August 2019, Funeral Support Payment on 16 September 2019, Young Carer's Grant on 21 October 2019, and Job Start Payment on 17 August 2020. Social Security Scotland invited clients to apply for Scottish Child Payment from 9 November 2020, in advance of the benefit being launched on 15 February 2021. Applicants received decisions from 15 February onwards, with the first payments made from the end of February 2021.

During December 2020 to May 2021, clients could apply through each of the following application forms online, by telephone, and by mail:

- Best Start Grant and Best Start Foods only
- Scottish Child Payment only
- Best Start Grant, Best Start Foods and Scottish Child Payment joint form
- Funeral Support Payment
- Young Carer Grant
- Job Start Payment

The following table shows the breakdown of applications received by Social Security Scotland during December 2020 to May 2021 based on official statistics published at <https://www.gov.scot/collections/social-security-scotland-stats-publications/>:

Benefit and link to latest statistics	Launch	Applications Dec-20 to May-21
Best Start Grant/Best Start Foods Pregnancy and Baby Payment Early Learning Payment School Age Payment Best Start Foods	Dec-19 Apr-19 Jun-19 Aug-19	45,215
Funeral Support Payment	Sep-19	4,380
Young Carer Grant	Oct-19	1,965
Job Start Payment	Aug-20	2,080
Scottish Child Payment	Nov-20	66,735

Clients can apply to Social Security Scotland through different channels, including mail, telephony, and online. Different channels are used more frequently for different benefits, and this is summarised in the [Application Channel](#) section above and in Table 12 in the accompanying tables.

All clients applying through any channel are asked to complete an Equality Monitoring and Feedback form along with the application form for each benefit delivered by Social Security Scotland. The data collected is used to identify who is using the

service and to investigate how Social Security Scotland processes work for different groups of people. We analyse the equalities data by outcome of application to assess if there is any variation. Applications will either be 'approved' if clients are found to be eligible, or 'denied' if clients are found not to be eligible. Possible reasons for denials vary between different benefits, but include factors such as not being resident in Scotland, not being in receipt of necessary qualifying benefits, or not applying during specified windows of time. Analysis of outcome data highlights groups of clients that are being found to be ineligible, which in turn suggests areas where Social Security Scotland can improve the information available around eligibility. Analysis of the feedback section of the forms is published separately as part of [Social Security Scotland's Insights Research Findings publication series – most recently covering the period to March 2020](#).

Clients' equality information is collected and stored separately to the outcome of a client's application. Clients applying by mail complete a paper equalities form and return it with their application. Equalities data is then input into Questback¹⁵ separately from application information, which is stored on Social Security Scotland's case management system. Similarly, clients applying by telephone answer equalities questions over the phone, and equalities data is also input into Questback by client advisors. Clients applying online complete a mandatory Equality Monitoring and Feedback form prior to submitting their application. Once submitted, application data is stored in a separate dataset to equalities data. Psuedoanonymised¹⁶ equalities responses and application details are later linked together for statistical analysis. Online equalities responses are linked to outcomes data using a unique identifier, and mail and telephone equalities response are linked to outcomes using postcode and date of birth.

Response rates

As of 9th December 2019, clients applying for benefits online are required to complete a mandatory Equality Monitoring and Feedback form following their benefits application form. Prior to this, the Equality Monitoring and Feedback form was completed on a voluntary basis. All online applications have an Equality Monitoring and Feedback form because clients cannot submit their application until it is completed. The response rate for mail and telephone applications is lower because of the different process for collecting data, as described above. However, this accounts for relatively few applications, as shown in Table 12.

From 9th December 2019 the form includes a 'prefer not to say' option for all questions for clients who wish not to disclose this information. The number of clients choosing 'prefer not to say' varied by question and by benefit. The question with the highest proportion of 'prefer not to say' was "Physical or mental health condition or illness lasting or expected to last 12 months or more" (8%). A higher proportion of Funeral

¹⁵ An online platform used for secure data collection <https://www.questback.com/uk/>

¹⁶ Client names are replaced with reference numbers so that analysts cannot identify individuals, but can still link monitoring forms with application details. Full addresses are also removed and only postcode retained.

Support Payment clients chose 'prefer not to say' for all questions, compared to other clients. This may be related to more Funeral Support Payment clients applying by telephone compared to other benefits. The overall proportions of clients choosing 'Prefer not to say' has increased slightly since the previous reporting period.

Data cleaning, de-duplication and linkage to application details steps

Cleaning mail and telephone equalities data

Mail and telephone Equality Monitoring and Feedback forms are collected through Questback. Data is entered manually and can therefore contain some typographical errors. For some clients postcode and date of birth data were entered in incorrect columns, this has been corrected manually.

Missing identification information (mail and telephone responses)

Mail and telephone equalities information was linked to application outcome data using the postcode and date of birth of the client. Clients that didn't have a postcode and/or date of birth recorded were identified and removed from the dataset as there was no other variable that could identify them in the application outcome information. This accounted for 3% of the original phone responses and 4% of the original mail responses. All online equalities responses included a unique application reference, so no online responses were removed.

Duplicates in records from Equality Monitoring and Feedback forms

Clients are able to make multiple applications to Social Security Scotland. For example:

- clients might apply for the same payment multiple times (e.g. they may have been denied a payment then re-applied at a later date),
- clients might apply for more than one of the different payments on different dates
- clients might make a joint application for Best Start Grant, Best Start Foods and Scottish Child Payment.

Clients complete an Equality Monitoring and Feedback form each time they apply, which means there can be duplicates for the same client in the equalities dataset. These were de-duplicated so that analysis was carried out based on the latest outcome for each client.

The equalities data collected by mail and telephone did not include any unique identifiers that could be used to identify duplicates, however, postcode and date of birth information were used as an alternative. There were a small number of records in the Equality Monitoring and Feedback form information which had the same postcode and date of birth. In these cases, where responses to the equalities questions were the same, we have assumed that they are duplicate responses from the same person, and one of the records was kept whilst the other was removed. Where answers to the questions were not the same, all of the duplicate records were

removed from the data set because we cannot tell if these records are the same client who has applied for different benefits or if they are a different client. The duplicate records that were removed accounted for 1% of the mail and telephone responses that had postcode and date of birth information.

The equalities data collected online did not contain any information unique to the client, therefore duplicate clients could only be determined after linking to the application details data (see section below), at which point the data was de-duplicated by client National Insurance Number. National Insurance Number is 'hashed', or turned into a string of letters and numbers which analysts cannot use to identify people, but can be used as a unique anonymous reference for clients. Similar to the mail and telephone responses, where it was not possible to distinguish accurate equalities information for a single client as the response were different, all duplicates were removed. Where the equalities information provided was consistent across applications, a single response was kept.

Linkage to application details and outcome information

Mail and telephone equalities information was linked to application details using postcode and date of birth. 61% mail and 70% telephone equalities records were matched to application details.

Online equalities information was linked to application details using unique application reference. Around 2% online application details were missing a unique application reference, and these could not therefore be linked to equalities information. However, for all other cases online application details and equalities information could be linked together.

Duplicate application details

Duplicates were created when equalities forms were linked to application details, because an individual client may have applied multiple times (as described above). The data was therefore de-duplicated again after linking. Where at least one of the duplicate application details for a client had an application outcome date, the most recent date was retained. This effectively excluded a large number of pending cases from the dataset. Where there were multiple applications for the same client with the same outcome date, one record was randomly kept. Where all the duplicate application details for a client had a missing application outcome date (e.g. because all duplicate applications were pending, or had missing application dates), only one record was retained. De-duplication of application details resulted in the removal of 40% online, 37% mail and 15% telephone linked records. The proportion of mail and telephone duplicates removed has increased due to more joint applications for Best Start Grant, Best Start Foods and Scottish Child Payment being received.

There are issues with this de-duplication method, for example, a client could have three applications recorded and it could be that the most recent outcome is more likely to be denied as the client is already in receipt of the benefit. Alternatively, the most recent outcome could be more likely to be approved if a client has better understood

how to complete the form following on from a denial. However, de-duplication has been used so that the data represents the overall breakdown of Social Security Scotland clients, rather than the breakdown of all applications received or all outcomes.

Single and joint application outcomes

Funeral Support Payment, Young Carer Grant and Job Start Payment applications have a single application outcome associated with each application. However, applications for Best Start Foods are automatically assessed for Best Start Grant payments, and vice versa, and therefore have an outcome for both grants associated with them. To handle this an application was given an approved outcome if either were approved (or both). An application was given a denied outcome if it was denied for both grants.

Scottish Child Payment can be applied for as a single benefit, or jointly with Best Start Grant and Best Start Foods. Any joint applications for Scottish Child Payment and Best Start Grant were split into two separate parts, and treated as two applications during the process above.

Data quality

Approval rate

Approval rate figures are calculated as the proportion of applications approved out of the total approved or denied. In this publication, figures are based on the date of application rather than the date of decision.

Approval rate figures differ slightly from those in benefit specific publications (see links at the start of this section). The main reason for this is that the approval rate in this publication excludes withdrawn applications, whereas benefit specific publications include them. This is a particular issue for Funeral Support Payment, where around 10% or more of applications are withdrawn each month. Additionally, the approval rate in this publication is calculated for applications where equalities forms were completed, which may be more likely to be approved. Finally, in benefit specific publications approval rate is calculated from decisions taken within a time period, whereas here they are calculated for applications received within the same time period. This is less likely to have an affect on approval rates as they are relatively stable over time.

Weighting of equalities data by benefit

After cleaning and de-duplication, a larger proportion of Equality Monitoring and Feedback forms were related to applications for Scottish Child Payment and Best Start Grant and Best Start Foods than other benefits (Table 13). The equalities characteristics of these clients therefore have a greater impact on overall figures for Social Security Scotland than the equalities characteristics of other clients.

Backdating

To take into account backdating and delays between applications being authorised and payments being made, data cuts covering to 30 June 2020 have been used for online Equality Monitoring and Feedback forms, Questback data for mail and telephone equalities and application details for all benefits. Later data cuts may include additional retrospective changes to application details, including corrections to details in the case management system, and changes that have resulted from redeterminations and appeals.

'Unknown' equalities information

Some clients did not answer some equalities questions, either choosing 'Prefer not to say' (all channels) or missing a question entirely (mail and telephone). Where clients missed a question, they are counted in the 'Unknown' category in publication tables 1-7. This accounts for less than 1% clients in each table.

'Unknowns' in age tables are the result of clients with missing date of birth or errors in date of birth.

'Unknowns' in geography tables are the result of missing postcode, errors in postcode, or because the postcode has recently been introduced and is not yet included on the lookup file used to match to higher geographies.

Clients living outside Scotland

In this analysis clients have been classed as living in Scotland if their postcode matched to a Scottish local authority, or based on their postcode area. Other clients are assumed to be living outside Scotland. The number of these clients was lower in December 2020 to May 2021 than in previous statistics (less than 1% of clients overall). This may be because the application process for Scottish Child Payment and Best Start Grant and Best Start Foods (separate and joint applications) was amended in November 2020, so that clients that say they live outside Scotland are not able to submit an application online. The online applications for Young Carer Grant, Job Start Payment and Child Disability Payment were also amended in July 2021, which may affect future statistics publications. Currently there is no similar process for Funeral Support Payment.

A higher proportion of clients with 'Unknown' addresses from outside Scotland were approved for a payment than in June to November 2020 than previously (18% of 'Unknown – other' clients overall, Tables 9-11). This may be due to the introduction of Scottish Child Payment, which has a relatively high number of clients with addresses outside Scotland that are approved (43%). This is in line with Scottish Child Payment official statistics¹⁷, and is likely to occur where the client originally lived in Scotland and was approved, but later moved address. Scottish Child Payment is an ongoing payment, unlike most other benefits except Best Start Foods. This means that client's

¹⁷ [Scottish Child Payment official statistics](#)

details, including address, are regularly checked and updated on the case management system. This can lead to clients with an initial outcome of 'approved', but addresses currently outside Scotland.

Future developments

We published supplementary intersectional tables covering the period June to November 2020 at: <https://www.gov.scot/publications/social-security-scotland-client-diversity-and-equalities-analysis-to-november-2020/>. Due to the resource required to produce these tables we plan to update this intersectional analysis less frequently than the main analysis.

Whilst the publication currently reports the proportion of clients that have been denied, in future we aim to provide further information on the reasons that applications are denied.

Estimates of take-up for different benefits are produced by Scottish Government. The Scottish Government will include its initial estimates of take-up of devolved, low-income benefits in the second Benefit Take-Up Strategy, which is due to be published by 21 October 2021.

We are seeking users' views on the content of this publication to ensure it best meets their requirements. If you have any comments or suggestions that you would like to provide us please email MI@socialsecurity.gov.scot.

Background to Benefit Types

Background on the types of benefits that clients in the diversity and equalities analysis are applying for is available in separate publications for each of the grant types published here <https://www.gov.scot/collections/social-security-scotland-stats-publications/>.

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How to access background or source data

The data collected for this statistical bulletin:

are available in more detail through statistics.gov.scot

are available via an alternative route. Summary tables are available at:

<https://www.gov.scot/collections/social-security-scotland-stats-publications/>

may be made available on request, subject to consideration of legal and ethical factors. Please contact MI@socialsecurity.gov.scot for further information.

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