

Fairer Scotland Duty

Assessment Not Required Declaration

Coronavirus (Scotland) Bill

March 2020



Scottish Government
Riaghaltas na h-Alba
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FAIRER SCOTLAND DUTY

ASSESSMENT NOT REQUIRED DECLARATION

Policy title	Coronavirus (Scotland) Bill
Directorate: Division: team	Constitution and Cabinet Directorate
Policy lead responsible for taking the decision	Emma Lopinska

Rationale for decision

The purpose of the Coronavirus (Scotland) Bill (“the Bill”) is to respond to the emergency situation caused by the Covid-19 pandemic. The Bill complements and supplements the Coronavirus Act 2020 (“the 2020 Act”), passed by the UK Parliament on 25 March 2020, which the Scottish Parliament gave its consent to on 24 March 2020. The Bill will put in place necessary and urgent measures in order to address the threats posed by the coronavirus outbreak in Scotland.

The coronavirus outbreak is a severe and sustained threat to human life in Scotland. The Scottish Government is committed to taking all steps necessary to address that threat. A severe pandemic could infect a large proportion of the population, and the public health measures required to control and limit the spread of the outbreak will require a significant adjustment to the lives of those living in Scotland, to business in Scotland, and to the way public services are delivered and regulated.

The Bill covers a range of measures intended to ensure that:

- renters are protected while confined to their homes;
- the justice system is able to deliver essential services;
- public services, business and consumers can still operate despite new restrictions.

An EQIA has been completed assessing impacts for groups with protected characteristics. It identifies that measures including extending the moratorium on diligence and temporarily extending the notice to leave period for private rented sector landlords, and the notice for recovery of possession for social landlords, will act to protect households burdened by debt or living with poverty. Measures to facilitate electronic rather than physical presence or inspection of documents may have an impact on those who have limited or less reliable access to the internet, including low-income households. Increased use and value of fines may disproportionately impact on those without the means to pay and could increase debt.

The Bill is an urgent response to the coronavirus outbreak and therefore a temporary response to those circumstances. These are extraordinary measures required to respond to an emergency situation. The Scottish Government is satisfied that all of the measures contained in the Bill are appropriate and proportionate, but it recognises that many are far-reaching and unprecedented. The Bill therefore contains the following safeguards:

- the measures in the Bill will automatically expire six months after they come into force. The Scottish Parliament may extend these measures for two further periods of six months, giving the measures in the Bill a maximum duration of 18 months;
- where a measure is no longer considered necessary, Scottish Ministers can bring it to an end earlier than on this six-monthly schedule;
- Scottish Ministers are required by the Bill to report on the continued need for the measures, and on the use of powers in the Bill, every two months.

The Scottish Government considers that the end of the initial period represents the strongest opportunity for a Fairer Scotland Duty assessment to review the urgent measures against evidence around the issues outlined above. An assessment will be completed at that time to identify further opportunities to reduce or mitigate inequalities arising for socio-economically disadvantaged groups.

I confirm that the decision to not carry out a Fairer Scotland assessment has been authorised by:

Name and job title of Deputy Director (or equivalent)	Date authorisation given
James Hynd	30/03/2020



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