

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	Scotland's Future Fisheries Management Strategy 2020 - 2030
Minister	Cabinet Secretary for Rural Economy and Tourism
Directorate: Division: Team	Marine Scotland, Sea Fisheries, Catching Policy & Future Fisheries Management
Is this new policy or revision to an existing policy?	Strategy

Screening

Policy Aim

The Sea Fisheries division in Marine Scotland Directorate is directing the development and implementation of the Future Fisheries Management Strategy. The Strategy will set out the outcomes we want to achieve (these are high level and focussed on balancing sustainability, economic environment and social outcomes), the principles and approach we will follow, and the high level actions and policies which will form our delivery plan for the next 10 years.

Our fisheries management sits within the broad framework of Scotland's National Marine Plan which sets out the Scottish Government's approach to managing Scotland's marine environment, including how we manage the interactions between different sectors and the factors which influence our decision making. The overarching vision contained within the National Marine Plan sets the scene for our overall approach and the policies which we deliver. That vision is for 'clean, healthy, safe, productive and diverse seas, managed to meet the long-term needs of nature and people'.

Our overall approach to fisheries management in Scotland is framed within the delivery of the Scottish Government's **National Performance Framework**¹, and helps support a range of national outcomes including those related to supporting a sustainable economy, delivering fair work and thriving businesses, supporting a strong international presence for Scotland and empowering communities and strengthening their resilience. Fishing also makes a full and vital contribution to the national outcome '*we value, enjoy, protect and enhance our environment*'. Success is measured through the delivery of national indicators, including '*to improve the state of Scotland's Marine Environment*' and this drives many of the decisions we take at a strategic and practical level in order to ensure that the overarching aims and objectives of the Scottish Government are delivered.

¹ <https://nationalperformance.gov.scot/national-outcomes>

The Strategy sets out high level objectives and actions for Marine Scotland, some of which will become legislated policy proposals at a later date, however we will not consult on the Strategy itself, but we will consult on policies if and as required once these are firmed up and ready for consultation.

A major benefit of the Strategy will be its support for inclusive economic growth, protecting the environment, strengthening local communities, and supporting a strong, sustainable and resilient fishing industry.

We will also seek to strengthen links between the offshore fishing industry and onshore interests, recognising the benefits that fishing can have for communities, onshore processing, local markets, healthy eating and sustainable food supplies, and opportunities for training and employment. The policies which we take forward under this strategy will directly support these considerations.

Who will it affect?

The implementation of the Future Fisheries Management Strategy will be applied across Scotland and will potentially impact every aspect of the fishing sector covering both the offshore fishing industry and onshore interests, catching and processing, markets, to sales, distribution and marketing, each contributing to putting fish on consumers' tables.

The Strategy will impact particular groups of the population:

- The work-force of the fishing and related seafood sectors listed above, local communities who rely on fisheries and the wider seafood industries for their livelihoods or where fishing is a strong aspect of their local identity.
- The general public (in Scotland, the UK and more widely) who are consumers of seafood products caught and processed in Scotland.
- The general public of Scotland, especially coastal communities and users of the coast, in the UK and more widely who are affected by climate change, and will benefit from measures to improve the environmental sustainability of the fishing industry and related environmental improvements such as reduction in flooding, pollution, enhanced biodiversity etc.

Scope

Equality legislation covers the protected characteristics of: age, disability, gender, pregnancy and maternity, gender reassignment, sexual orientation race, and religion or belief.

The scope of this equality impact assessment (EQIA) also includes the Fairer Scotland duty and will include wider socio-economic considerations; including people living in low income households. Geographical location is important given that seafood industries are more present in certain areas than others. The EQIA will therefore consider how the strategy might impact on people living in remote, rural and coastal areas and island communities.

The Strategy itself is not expected to directly impact negatively on individuals with protected characteristics, and intends to offer opportunities to reduce inequalities across Scotland supporting the provision of fair work and help to create a low carbon economy with clean, green jobs.

However it will be important to ensure that equalities issues are taken into consideration throughout the development of the strategy, to ensure that there are not unintended consequences of adverse impacts, and that any negative impacts are mitigated wherever possible.

We expect that certain groups of the workforce population could be more heavily impacted by aspects of the strategy, because of the demographics of the seafood workforce. For example because most fishers are male of an average age of 40 there are likely to be age and gender considerations in any change to fisheries policy. Thus older men are more likely to be impacted by any change in fisheries policy and will be the group that receives any additional financial support that is provided, with women largely excluded from any benefits.

The workforce of seafood processing is around 50% female and is heavily reliant on a migrant workforce with non UK EEA workers making up 58% of its labour force². Seafood processing is an unskilled and relatively low paid job. Thus policies in this area, could have stronger implications in relation to gender, nationality/race and for those from lower socioeconomic groups.

In delivering the outcomes of the Strategy and any subsequent policies, the Scottish Government will ensure that community engagement and consultation approaches are accessible to everyone including those from protected groups who may require specific support or facilities to enable their involvement. These would include (where needed) disabled access for wheelchair users, hearing loops or signers for deaf people, interpreters for those whose first language is not English and information available in a wide range of formats to so that all participants can access it.

We consider this EQIA to be a high level impact assessment for the strategy. We are confident that we have covered the relevant issues which apply to the Strategy and the changes it proposes, however each new policy which will be developed as a result of this strategy will have its own EQIA and Fairer Scotland Impact Assessment completed.

² <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2018/06/seafood-trade-modelling-research-project-assessing-impact-alternative-fish-trade/documents/00536203-pdf/00536203-pdf/govscot%3Adocument>

What might prevent the desired outcomes being achieved?

There are a range of external factors which can impact on the fisheries sector, on the economy and on local communities and individuals. Current risks include the ongoing COVID-19 pandemic which in some cases will restrict fishing activity and also has the potential to disrupt the lives of individuals to a significant degree. In addition, resources at Government level may need to be diverted into the COVID-19 response, slowing delivery times associated with implementation. There are also a number of uncertainties around Brexit, particularly under the threat of a no-deal Brexit, which again will have significant impacts on markets and businesses, and on the resources available at Government level.

As ever, when we consult on any policies, the responses to those consultations will be used to shape our policy direction. Specifically for the strategy, consultations on the Future Catching Policy for example, may lead to adjustments in our approach. Some policies are also dependent on external factors and wider considerations, such as the international negotiations which take place on quota. The level of additional quota available as part of these negotiations may influence the scope of what we are able to achieve.

COVID-19 has exacerbated existing inequalities, having the strongest impact on those already facing challenges: e.g. older people, younger people, those living in poverty, those living in remote, rural areas. A no deal Brexit could bring further challenges to the same groups.

Stage 1: Framing

Results of framing exercise

The framing exercise for this EQIA has involved the following activities:

- 1) Review and presentation of background data and statistics on the fishing industry for context.
- 2) Review of responses received to Scotland's Future Fisheries Management National Discussion Paper where equalities issues were raised.
- 3) Internal Sea Fisheries policy workshop: facilitated by Marine Analytical Unit (MAU) with the policy officials who are leading on different aspects of the strategy. The workshop had a particular focus on specific equalities issues such as gender considerations, the role of women in seafood and fisheries, the age of the (fishing sector) work-force and encouraging/ promoting working in fisheries to the younger generation.
- 4) A review of some key sources of literature on specific equalities issues (around the workforce characteristics, disability and the role of women in fisheries)

Summary of findings

Initial reflections from the evidence gathering and engagement to date indicate that the strategy, and the changes this will bring, is expected will have a positive impact on some people and/or communities, directly or indirectly, and in different ways. This includes people with protected characteristics and other socio-economic challenges and the reflection has identified a broad range of potential impacts.

The findings from these exercises are outlined below and will be used to further develop the EQIA.

1. Background Data and evidence on relevant seafood industries

Seafisheries

Scotland's commercial fishing fleet and sea fisheries are significant contributors to Scotland's rural and coastal economies. The commercial fishing industry contributes significantly to Scotland's food and drink economy, in particular playing an important part in many remote and potentially fragile communities. In 2017 fishing generated £316 million GVA: accounting for 0.24% of the overall Scottish economy and 6% of the marine economy GVA.

The commercial fishing industry provided employment for a headcount of 4,800 people, contributing 0.19% of the total Scottish employment and 6% of the marine economy employment.³

With 1,183 fishers, Aberdeenshire has the largest number of people employed in sea fishing in Scotland and accounted for 25% of the total number of fishers on Scottish vessels in 2017. The Highland region accounted for 20% of the employment.

In 2019, 4,886 fishers were working on Scottish based vessels, representing 0.2 per cent of the total Scottish labour force. This figure is up one per cent (26 fishers) since 2018. Compared to 2018, there were 91 less regularly employed fishers (two per cent decrease), 86 more irregularly employed fishers (10 per cent increase)⁴.

Although employment in the fishing fleet is a small percentage of total employment in Scotland, employment in fishing accounts for a higher percentage of employment in island communities (Shetland four per cent, Na h-Eileanan Siar three per cent, Orkney two per cent) and in Argyll and Bute (one per cent).

Fraserburgh is the district with the largest number of fishers (797) accounting for 16 per cent of the total in 2019. It is also the district with the largest number of fishers who work regularly, with 788 regularly employed fishers. Shetland had the most irregular fishers (254), accounting for 28 per cent of

³ <https://www.gov.scot/publications/scotlands-marine-economic-statistics-2017-corrected-april-2020/pages/3/>

⁴ <https://www.gov.scot/publications/scottish-sea-fisheries-statistics-2019/pages/3/>

the total fishers in this category. Stornoway was the district with the largest number of crofters employed (26), accounting for 67 per cent of the total fishers in this category.

The top three districts in Scotland by total tonnage landed in 2019 were Peterhead (east coast), Shetland (north) and Fraserburgh (east coast). Peterhead is the single largest fishing port in the UK by tonnage and value of landings. Combined, the top three districts for tonnage accounted for 73 per cent of total weight landed and 59 per cent of value of all landings into Scotland.

Seafood processing

In 2017, Seafood processing generated £392 million GVA: accounting for 0.29% of the overall Scottish economy and 8% of the marine economy GVA. Seafood processing provided employment for 7,700 people (headcount), contributing 0.3% to total Scottish employment and 10% to marine economy employment. 6.3 Seafood Processing – trends In 2017, the GVA from seafood processing (adjusted to 2017 prices) was unchanged from the previous year, while the longer term trend from 2008 to 2017 showed that seafood processing GVA increased by one third.

As of September 2018, there were 284 registered fish processing plants in Scotland. The three local authorities with the highest number of plants were Aberdeenshire (52), Highland (43) and Aberdeen City (38).⁵

This data shows that there are particular communities where fishing and seafood processing is important (including some island communities) and it is in these areas that the Future Fisheries Management Strategy will have greatest impact

2. Scotland's Future Fisheries Management National Discussion Paper

The discussion paper, published in 2019 sets out the issues and themes to be covered in the strategy. This was accompanied by extensive engagement with a broad range of stakeholders across Scotland around the Strategy's design and its components. Responses were received from a wide range of key stakeholders, national organisations and representative bodies. The responses have been reviewed and the findings published in the Future Fisheries Management - discussion paper: analysis⁶. The policy team has reviewed the paper to extract specific comments in relation to equalities issues to inform this EQIA.

The most relevant response for EQIA purposes, came from the Church of Scotland who led a number of consultations within the coastal communities which were prompted by the publication of the discussion paper but also by Brexit. These conversations suggest that there is a strong sense within the

⁵ <https://www.gov.scot/publications/scotlands-marine-economic-statistics-2017-corrected-april-2020/pages/3/>

⁶ [Future fisheries management - discussion paper: analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/future-fisheries-management-discussion-paper-analysis/pages/1/)

communities of “their identity being shaped by their location as a coastal community, their reliance on the marine environment being more than just an economic association but a way of life”. For rural coastal communities their relationship with the sea goes beyond economic reliance. It is seen as “a significant identity marker. In their response, Church of Scotland recommended that “for coastal communities to benefit going forward this relationship requires serious consideration”. The strategy recognises and promotes the heritage and culture of our fishing communities and the value of fishing for our rural coastal communities in supporting local jobs and ways of life, also respecting diversity and equality.

3) & 4) Internal Sea Fisheries policy workshop & review of some key sources of literature

The workshop focused on the 12 point action plan in the strategy which underpins the approach to managing Scottish fisheries for the next 10 years. Each of the 11 equality characteristics was considered against each action in the strategy looking at potential impacts (intended or unintended) that the strategy and the changes it proposes might have on the protected characteristics, on different people or communities. Where there was potential to do so, solutions for mitigation (potentially negative impacts) along with ways to promote the benefits that the strategy may bring were suggested.

A summary of the workshop is captured below. We have joined up the findings from our literature review with the outputs from the policy workshop in order to better highlight the main issues for each protected characteristic:

Protected Characteristic: Age

The fish catch sector workforce is an aging workforce. It is not often not seen as attractive to young people due to the nature of the work and the pay levels. It is also extremely difficult to enter the industry as a new entrant due to the high costs involved (in purchasing a boat) and the lack of access to quota. There is also the practical realities of the older workforce in fishing, such as physical capabilities and safety.

As a result young people tend to look for jobs in other industries, and many move away from the local fishing communities. This is exacerbating the problem of depopulation and ageing of remote communities.

Workshop outputs: The attendees felt that new policies will possibly be in favour of younger people, for example to attract new entrants into the workforce which will shore up the longer term resilience of the sector. The strategy will explore how to improve engagement and participation of younger people in the sector and with a view to incentivising young people to join the fishing industry. The strategy should therefore have a positive impact on opportunities for younger people.

A number of solutions for mitigating against possible negative impacts were discussed such as:

- Ensuring different groups can participate in decision making e.g. older people may not like using online methods or new technologies;

- Positively and actively helping people who want to come into the sector regardless of age, gender etc.;
- At Government level – our messages should promote career in fishing industry as safe, profitable and open to all;
- Ancillary roles should also be promoted as coming into the sector does not necessarily mean working on fishing boats;
- What constitutes a 'new entrant' should be defined in the strategy or perhaps when the policy is developed;
- When relying on existing representatives and governance groups for co-management and to ensure information gets to everyone who needs it - we need to be sure the groups represent those with diversity characteristics as broadly as possible.

Protected characteristic: disability

There is very little available information or data available about the employment of disabled people in different fishing industry roles, and little debate around opening up opportunities for disabled people. Whilst many jobs would not be practical for those with particular physical or mental disabilities, there could be other opportunities for disabled people in some roles. There are evidence gaps in terms of what jobs (if any) disabled people are currently doing in the industry, their experiences of trying to work in the industry, the particular barriers that they face, and employers' views on and efforts to encourage greater participation. The Fairer Scotland for Disabled People Employment Action Plan 2016⁷ recognises the detrimental impact of unemployment on disabled people and the benefits that increasing their economic contribution can bring to Scotland and sets out Scottish Government ambitions to at least halve the employment gap between disabled people and the rest of the working age population (the disability employment gap) to improve disabled people's access to and experience of employment. In 2016 the employment rate of disabled people in Scotland was 45.4%, compared to 81.2% for non-disabled people, representing a gap of 35.8 percentage points.⁸

The strategy could explore the opportunities there might be to encourage the opening up of the industry to a broader range of applicants, including disabled people where-ever feasible. The issue is in face particularly pertinent, given that fishermen are at greater risk of accident and injury that could unfortunately lead to permanent disablement in some cases. In such an event, can ex disabled fishers be better supported to find alternative employment options in the industry?

Workshop outputs: In relation to this protected characteristic the primary concern was the very little available information or data available about the employment of disabled people in different fishing industry roles, and little debate around opening up opportunities for disabled people. There was

⁷ http://www.employabilityinscotland.com/media/1224647/fairer_scotland_disabled_people_-_employment_action_plan.pdf

⁸ http://www.employabilityinscotland.com/media/1224647/fairer_scotland_disabled_people_-_employment_action_plan.pdf

acknowledgement that there is scope for improving things. Safety was mentioned as an issue for disabled people, also that fishermen are more likely to sustain injury or disability but it was not known if in this scenario, there were alternatives for fishermen to change roles but still remain in the industry.

A number of solutions for mitigating against possible negative impacts were discussed such as:

- Put out messages and images of the fishing industry to show it is open to all;
- There should be practical adaptations to enable people with disabilities to come into the sector;
- Hold virtual RIFGs (regional fisheries groups) meetings to improve accessibility.

Protected characteristic: Gender

The fishing industry in Scotland is a male dominated industry: there are few if any female skippers or crew on fishing vessels⁹. There continues to be a traditional gendered division of labour in many fishing communities where women stay at home as primary care givers to look after children and the home, roles that are less visible, low profile and often not directly financially rewarded. Women play roles that are essential to the success of fishing including in fish capture, trading, processing, management, administration, but this is often not well acknowledged or financially rewarded. Research through the Women in Fisheries ESRC research programme has shown that there is limited recognition and respect for the contributions women make across the sector and women do not always enjoy the same pay, power, and status as men, playing supporting or assistance roles with little say in decision making¹⁰. This research has also found that women experience issues around pay, abuse and violence, as well as prejudiced and traditional beliefs. There is a lack of adaptation to women's bodies in the industry and few opportunities for women to start fishing. They often have to juggle fishing work with childcare.

Workshop outputs: Marine Scotland is aware that some women may hold a 50% share in vessels with their spouse. Women also play important governance roles eg they are well represented on RIFGs (approx. 50% of women are chairs of RIFGs in Scotland). There is scope for the strategy to more strongly acknowledge the important contribution that women make to the industry and to break down some of the stereotyped assumptions around what is acceptable work for women to do, to widen opportunities for women's employment.

⁹ In a sample of 708 people employed in the catching sector in 2018 only 1% were female Seafish, UK Seafood Processing Sector Labour Report, March 2018

¹⁰ The issue has been explored in academic literature eg Constructing Gender and Occupational Segregation: A Study of Women and Work in Fishing Communities; Yonadis, C. 2000 in Qualitative Sociology vol 23 no 3. A more recent ESRC funded study examines the role of women in fisheries <https://women-fisheries.com/> and <https://static1.squarespace.com/static/5b1101477e3c3a82885aed01/t/5e621d8db379015277a8e14e/1583488407284/WiF+Policy+Brief.pdf>

The strategy promotes fishing as an attractive and safe career of choice, with a focus on improving safety standards, fair work, supporting new entrants into the sector, and equal treatment regardless of national origin or gender. The delivery plan for the strategy will highlight women's role and also find solutions to better support the access of women to a wider range of employment opportunities on an equal footing as men, including the need to challenge prevailing gendered assumptions.

A number of solutions for mitigating against possible negative impacts were discussed such as:

- A first step would be to acknowledge what women are already doing to contribute to fishing businesses (often behind the scenes in invisible and unpaid) roles –and then find ways to address the barriers to other roles including being a fisher or skipper on a boat;
- There is a need to change assumptions and mind sets about what women do, and what is believed to be appropriate or acceptable for women to do. This can be done through promoting the wider range of roles in the industry e.g. management, fishing reps are women (Around 50% of the RIFG chairs are women); and by starting to tackle cultural assumptions and stereotypes images of women's role in the industry
- The messages coming from policy makers but mainly from the industry to show it is open to all;
- The opportunity with the FFM Strategy to open up this issue.

Protected characteristics: Pregnancy and maternity, gender orientation and gender reassignment

There is little if any evidence or literature on this protected characteristic in relation to employment in the fishing industry.

Workshop outputs: Given the gender patterns discussed above, the issue of pregnancy and maternity, sexual orientation and gender reassignment are also related considerations here. For example, pregnancy and maternity are potential barriers to women entering a career as a fisher, for health and safety issues. Likewise, gender orientation and gender reassignment could be barriers due to stereotyped assumptions, images and expectations in the fishing industry. However there is little if any data or research in this area.

There was an agreement from attendees that the strategy will be promoting a safety agenda and a positive industry image.

Protected Characteristic: Nationality

The fishing sector is heavily dependent on foreign crews and migrant workers. The seafood processing industry is heavily dependent on EU labour, with 70% of the workforce in the Grampian region being from the EU.

Approximately 950 non-EEA nationals are employed in the Scottish fishing fleet (around 19% of the overall fleet workforce). Filipino and Ghanaian nationals are the majority (around 80% and 15% of the overall total

respectively), but there are also crew from India, Sri Lanka, Belarus, Egypt and a range of other countries.

These crew are generally employed using a CRM01 transit visa, which means they are only allowed to enter the UK for transit or on official vessel business, and have no right to reside in the UK. Holders of the CRM01 transit visa also cannot enter into a contract of employment in the UK. As a result, most of the non-EEA crew working on Scottish vessels are contracted through third party employment agencies or are treated as self-employed in their home country. Consequently, they are not covered by UK employment law, which leaves them vulnerable to maltreatment, including poor pay and welfare conditions on vessels; up to and including possible offences under the Human Trafficking and Exploitation (Scotland) Act 2015.

Vessels that fish at any point inside 12 nautical miles of the Scottish coast (including the inshore fleet, which CIFA represents) and want to employ non-EEA, cannot do so legally. If they do they are in breaches of immigration rules. Because UK employment law, including the National Minimum Wage, do not apply to these workers, they are significantly cheaper to employ than UK or EU fishers.

In line with our “Fair Work First” policy, the Strategy makes it clear our view that all those working in the fishing industry, regardless of national origin, should be paid and treated fairly.

Workshop outputs: The discussion was heavily focused on the migrant worker force. There were discussions about tensions in relation to migrant workers where some perceive migrant workers to be “taking jobs away” from local workers, although in many cases migrant workers are filling employment gaps. Brexit was mentioned here many times and how it could reduce the availability of crew from EU/EEA countries. The resilience of the sector is directly tied to ability to access crew which has been a long term challenge for the fishing industry.

A number of solutions for mitigating against possible negative impacts were discussed such as:

- Recognising the benefits that migrants bring to local areas, through the strategy but also more widely
- Strictly around the strategy – ensuring that the proposed foreign vessel licensing is non-discriminatory.

Religion/ Belief - no entries

Socio-economic aspect: Financial vulnerability

Earnings of crew are highly variable across the different fishing sectors, and vary by roles and remuneration arrangements. The demersal over 24m seine and pair trawl vessels on average the highest for skippers and engineers on crew share at an estimated £7,667 per month, whilst an under 10m pot and trap vessel pays the least for skippers at £1,447 per month. Large and small

demersal sectors pay on average the highest for deckhands on crew share at around £5,300 per month while the under 10m pot and trap vessels pay the least (£887 per month). Across all sectors with contact crew deckhands are on average paid the least at around £1,200 per month. In the case of crew share this is payment before tax, social security payments and other deductibles. In the case of contracts what is reported is the total cost to the vessels for acquiring the services of crews. For the most part it is foreign workers that are paid on contracts rather than through the crew share model and as a result earn significantly less than those paid through crew share ¹¹. Research with the small scale coastal fisheries (under 10 metre) in the UK has shown a lack of financial resilience amongst fishers in this sector. All are share fishers, a form of self-employment where they receive a share of the gross income of the vessel. Whilst this system is held in high regard, this also means that fishers face insecurity of income, irregular pay with periods of no pay at all, they do not receive holiday or sick pay, and are often not eligible for welfare benefits (for periods of unemployment). They miss out on company pension schemes and must make their own pension arrangements. Debt problems are common across the fleet. Given their financial vulnerability, fishers in the inshore fleet may be at greater risk of poverty in the event of an economic shock¹².

Workshop outputs: It was reaffirmed here that the strategy promotes fair work and promotes fishing as an attractive and safe career of choice. It advocates for equal treatment regardless of national origin or gender. It aims to build the resilience of the fishing industry, working with stakeholders to strengthen links to local and global markets, supporting diversification. It aims to increase the benefit from fishing to local areas, through our allocation of additional quota opportunities, by ensuring quota is in the hands of active fishers, and increasing the volume of fish landed in Scotland including through the Scottish economic link. The strategy supports the delivery of a strong relationship between the fishing industry and local communities, with strengthened links to local supply chains, support for consumers to buy local / Scottish and recognising the importance of inward migration for remote and coastal communities.

A number of solutions for mitigating against possible negative impacts were discussed such as:

- Aim to improve resilience of small businesses; broaden fishing opportunities; enable greater diversification;
- Quota allocation should link to active fishers which would bring benefits that flow to Scotland from fishing activity;
- Introduce an inshore fishing permit / licence to help ensure fishing effort is better managed;
- Encourage buying local - benefit to the local community;
- Aim for a well-managed, profitable industry with benefits all round

¹¹ <https://www.gov.scot/publications/scottish-sea-fisheries-employment-2015/pages/2/>

¹² <https://www.seafarers.uk/wp-content/uploads/2020/09/Seafarers-UK-Fishing-Without-a-Safety-Net-Report.pdf>

- Inward migration could also be from within Scotland as well as outside Scotland
- Ensure we have the appropriate governance structures in place to ensure fishing industry can interact with other users
- Mitigate the negative impacts on certain sub group – encourage diversification and boost resilience this way.

A number of other issues which came up in the workshop discussion were around climate change, pollution, marine litter and use of or access to the coast (tourism). These were discussed in relation to their differential impact on different equalities groups.

The evidence suggests that older people and those from lower socio economic backgrounds are potentially more negatively impacted by the effects of climate change and pollution than the average. Those from lower socioeconomic groups tend to use the outdoors less than other people. A reduction in marine litter is potentially a benefit for all but especially for those living in coastal areas or those who visit them regularly.

The effects of climate change do not impact on everyone equally. Certain groups are more vulnerable to the impact of poor air quality than others such as children, older people, those with pre-existing health conditions linked to air pollution and people living in dense, urban areas close to busy roads which can include those from lower socioeconomic groups.

Those from lower socio-economic groups and older people may be more likely to develop cardiovascular diseases that can be aggravated by poor air quality. Socio-economic disadvantage can limit options for households to move away from polluted areas¹⁰.

Older people are more vulnerable to climate-related health risks such as extremely hot and cold weather and they are more vulnerable to the health consequences of overheating in buildings.

These groups are therefore most likely to benefit from actions to tackle air quality by reducing emissions through the increased use of clean energy

Older people, those in remote and coastal areas, dispersed rural communities and deprived urban areas are disproportionately affected by flooding. This is because those on lower incomes are more likely to live in poorly insulated and adapted housing and may lack funds to make improvements. They are also more likely to be renting accommodation without the scope to alter their own dwelling. Those with reduced mobility may also be more negatively affected by flooding as they are more likely to live on the ground floor. Some of these groups also tend to have lower insurance availability. This can prolong the negative impacts of flood risk or extend the recovery period after a flooding

¹⁰ Doherty, R.M. Heal, M.R. O'Connor, F.M. Climate change impacts on human health over Europe through its effect on air quality. *Environmental Health*, Vol 16 (S1):33-44 2017:33

event. Flooding can also exacerbate ill health through bacterial or fungal growth in dwellings affected by flooding.¹¹

There is evidence that outdoor “green” and “blue” spaces can help people live active lives and have a positive impact on mental health, yet certain groups of the population (older people, disabled adults, people from minority ethnic groups and people living in the most deprived areas) are less likely to visit the outdoors and face multiple barriers to do so. They are also less likely to live within a five minute walk of green outdoor space. Improving quality of outdoor environments will benefit the all members of the public who wish to use them but it is important to facilitate the use of outdoor space amongst all groups.¹² Also see <https://www.gov.scot/publications/equality-fairer-scotland-budget-statement-scottish-budget-2020-21/pages/9/#fn-8>

The strategy outlines the objective to take urgent action to understand and mitigate the impacts of climate change on our seas. This will require a transformation across all sectors of our economy and society and fisheries must play its part here to help to create a low carbon economy with clean, green jobs. It will be important to be aware of situations where this might impact negatively on fishers, for example if we ask fishers to switch to greener fuels which could increase costs. Issues like this will be explored in greater detail in individual policy EQIAs.

A number of solutions to mitigate against potential negative impacts were discussed, such as:

- Encourage/ promote use of the outdoors more/ visits to the coast amongst those who are less frequent users
- Encourage industry to become climate change smart and help the sector reduce greenhouse gas emissions by improving fuel efficiency or switching to greener fuels.

Socio-economic aspect: Living in Remote or Rural and/or Island Communities

Workshop outputs: The indications are that opportunity to get involved and take part in decision making, could be potentially issues for those living in remote rural areas and islands. The Strategy should, however, have a positive consequence through its ambition to improve access to decision making and continue the community empowerment theme. The Strategy recognises that the right people need to be involved to understand how decisions are made, and ensuring that decisions are communicated openly and transparently, is one of our key strategic goals.

Wherever possible we will work in partnership with our stakeholders, utilising our established co-management groups FMAC , IFMAC and our Regional

¹¹ Paavola, J. Health impacts of climate change and health and social inequalities in the UK; Environmental Health: A Global Access Science Source 2017 16:61-76; Benzie, M. Social justice and adaptation in the UK, Ecology and Society 2014 03:19 (1) 492-501; <https://www.climatejust.org.uk/messages/people-low-incomes>

¹² Scottish Household Survey 2018 <https://www.gov.scot/publications/scotlands-people-annual-report-results-2018-scottish-household-survey/pages/10/>

Inshore Fisheries Groups (RIFGs) and through formal and informal consultation particularly around technical issues as required. Ensuring we have the best possible understanding of impact in the real practical sense before final decisions are taken. We will be transparent about communicating our decisions, so that stakeholders understand the outcomes of our decision making processes and the rationale behind them.

Another issue was the introduction of prohibition to fishing for certain species like sandeels which is expected to bring benefits to biodiversity and the ecosystem, but could potentially have negative impacts on those people whose livelihoods depend on fishing for that species. It could potentially impact particular fishing sectors more than others e.g. inshore sector could be worse affected.

Solutions proposed:

- Government policy and the opportunity to engage in the decision making process has to be accessible to everyone. Across the strategy we have considered what barriers in engagement are there and how to overcome these;
- Balance social and economic objectives. Benefits from a national asset need to be more fairly spread across country;
- Improve stakeholders general understanding of government policies by making it more inclusive;
- Use a number of accessible platforms to engage with stakeholders;
- Ensure we have the appropriate local governance in place.

Marriage/ civil partnership – no entries

Expected Positive Impacts of the Strategy:

Potential for enhanced biodiversity & sustainability

The Strategy will reflect the value we place in the sea's natural capital, which forms a vital building block underpinning the wellbeing and sustainability of Scotland's fisheries and the other marine industries that share and depend on the health of the marine environment in which they operate. The Strategy will take urgent action to understand and mitigate the impacts of climate change on our seas, including addressing issues around marine litter and supporting delivery of the Scottish Government's net zero targets including by reducing vessel emissions and encouraging shorter supply chains.

This has the potential to benefit everyone, but particularly users of the outdoor environment, and those living in or visiting coastal areas. Those from lower SEGs do not make use of outdoor space as other people¹³, and are less likely to be able to afford trips or holidays to coastal areas, so may not benefit as much from improved environment.

Potential economic growth

¹³ [RS-use-of-the-outdoors.pdf \(hutton.ac.uk\)](https://www.hutton.ac.uk/RS-use-of-the-outdoors.pdf)

The Strategy will seek to provide post-EU exit assistance for the marine sector and associated communities, as part of the development of a blue economy approach. By facilitating investment, jobs and opportunities in marine industries and public sector investment will help build thriving and vibrant coastal communities. It will be important to ensure that everyone has access to new jobs and that steps are taken to overcome the barriers to employment in seafood industries for those groups facing them (women, the disabled etc.).

The Strategy will seek to secure the resilience of the fishing industry, working with stakeholders to strengthen links to local and global markets, supporting diversification and exploring new fishing opportunities. It will seek to tackle poverty by sharing opportunities, wealth and power more equally.

Potential creation of jobs

The Strategy will promote fishing as an attractive and safe career of choice, with a focus on improving safety standards, fair work, supporting new entrants into the sector, and equal treatment regardless of national origin or gender. It will be the stated aim of the Scottish Government that there will be zero tolerance for illegal treatment of any worker in any part of fishing industry, whilst acknowledging that many of the levers for this lie with the UK Government (e.g. with reserved competence for migration policy) and with the fishing industry themselves.

Potential community benefits

The Strategy will seek to maximise the benefit from fishing to local areas through its policies around allocation of additional quota, taking positive direct action on the issue of quota speculation, and maximising the volume and value of fish landed into Scotland including through the introduction of a Scottish economic link in early 2022. It will support the delivery of a strong relationship between the fishing industry and local communities, with strengthened links to local supply chains, support for consumers to buy local / Scottish and recognising the importance of inward migration for remote and coastal communities. It will strengthen the existing co-management processes and support transparent and responsive decision-making and management to a local level wherever possible, in particular by strengthening the RIFG network. The Strategy will seek to always consider local community impact as part of the decision making process.

Interaction with Other Policies (Draft or Existing)

Our overall approach to fisheries management in Scotland is framed within the delivery of the Scottish Government's **National Performance Framework**, and helps support a range of national outcomes including those related to supporting a sustainable economy, delivering fair work and thriving businesses, supporting a strong international presence for Scotland and empowering communities and strengthening their resilience. Fishing also make a full and vital contribution to the national outcome *'we value, enjoy, protect and enhance our environment'*.

Scotland's **Environment Strategy** creates an overarching framework for our strategies and plans on the environment and climate change. Sustainable fisheries management will contribute to achieving the outcomes of the Environment Strategy, including *'Scotland's nature is protected and restored, with flourishing biodiversity and clean and healthy air, water, seas and soils'*, *'our thriving, sustainable economy conserves and grows our natural assets'* and *'we play our full role in tackling the global climate emergency and limited temperate rise to 1.5°C'*.

Our fisheries management also sits within the broad framework of Scotland's **National Marine Plan** which sets out the Scottish Government's approach to managing Scotland's seas, including the interactions between different sectors, their combined impact on the marine environment and the factors which influence our decision making. The overarching vision contained within the National Marine Plan sets the scene for our overall approach and the policies which we deliver. That vision is for *'clean, healthy, safe, productive and diverse seas, managed to meet the long term needs of nature and people'*. Scotland's Marine Assessment 2020 (SMA2020) assesses the condition of the Scottish marine area and will inform the review and any future update of Scotland's National Marine Plan.

Within this context, through this strategy and as set out below, we will deliver a range of outcomes which directly support the National Marine Plan and the Scottish Government's national outcomes and which respond to the challenges identified as part of the SMA2020.

We see fisheries as a vital part of Scotland's 'Blue Economy', defined as 'the sustainable use of ocean resources for economic growth, improved livelihoods and jobs, and ocean ecosystem health.'¹³ We have committed to developing a **Blue Economy Action Plan** which will take a joined-up strategic approach across the diverse range of Scotland's established and emerging marine sectors to maximise the opportunities offered by our abundantly rich marine zone.

¹³ World Bank, 2017

Extent/Level of EQIA required

Following the initial consideration of the available evidence as well taking account of the views expressed at the policy workshop, it is clear that the FFM Strategy has the potential for some impact upon equality within the fishing industry. It directly addresses issues around protected characteristics including most particularly gender, age, and race/nationality. There are also considerations around disability, and socio-economic aspects such as geographical location and financial vulnerability.

For the individual policies, which fall directly from the Strategy, we will assess each one for EQIA considerations in their own right.

Stage 2: Data and evidence gathering, involvement and consultation

The table below includes the results of our evidence gathering (including framing exercise).

Characteristic ¹⁴	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	<p>The average age of crew on the sampled Scottish fleet and the total Scottish and UK labour force are comparable at around 40 years old (Marine Scotland, 2016). The age distribution of crew on Scottish vessels is also comparable to that of the UK and Scottish labour force. The exceptions are the 35-49 and the 50-64 age groups which are larger and smaller respectively for Scottish fishing crews.</p> <p>The nationality of crews in the sample varies across age groups. Crew from the EEA and non- EEA account for a relatively large share in the age categories 21-30, 31-40 and 41-50, when compared to the younger (below 21) and the older (above 51) age categories (Figure 6). The age distribution of crew by nationality in 2015 is comparable to that in the 2013 survey. The only notable difference is the presence of non- EEA crew under 21 years of age and a slightly smaller share of non- EEA crew in the 51-60 age groups in 2015. It would appear that young Scottish crews are still coming into the industry as demonstrated in the <21 groups in both 2013 and 2015.</p>	Marine Scotland Science Scottish Sea Fisheries Employment 2015	The only available data on workforce age that we could find is from these two surveys the most recent being 2015 so this data would benefit from being updated.

¹⁴ Refer to Definitions of Protected Characteristics document for information on the characteristics

DISABILITY	<p>In 2016 the employment rate of disabled people in Scotland was 45.4%, compared to 81.2% for non-disabled people, representing a gap of 35.8 percentage points.^[4]</p> <p>There is no data nor research on disability in the sea-food industry workforce as far as we are aware.</p>	A Fairer Scotland for Disabled People: Employment Action Plan	<p>Lack of data on disability. As the numbers are low it would not be viable to gather data on this theme.</p> <p>Marine Scotland should consider if more data could be collected about what happens to workers who sustain injuries or disabilities when working in seafood and related industries.</p>
SEX/GENDER	<p>Women are in the minority in the catching sector. In a sample of 708 people employed in the catching sector in 2018 only 1% were female.¹⁵</p> <p>Women do a wide range of jobs including roles in fish capture, trading, seafood processing, management, administration, and looking after families.</p> <p>The policy brief suggest that “Women’s contributions are often seen as “help” rather than “work””</p> <p>Women make up about half of the seafood processing workforce.</p>	Quoted in “Women in Fisheries, Policy Brief” ¹⁶	More evidence and data about the role and contribution of women in seafood jobs is needed.
PREGNANCY AND MATERNITY	We are not aware of any relevant existing evidence at this time on pregnancy and maternity in relation to		Lack of data on pregnancy and maternity but numbers are very

^[4] http://www.employabilityinscotland.com/media/1224647/fairer_scotland_disabled_people_-_employment_action_plan.pdf

¹⁵ Seafish ,UK Seafood Processing Sector Labour Report, March 2018

¹⁶ <https://static1.squarespace.com/static/5b1101477e3c3a82885aed01/t/5e621d8db379015277a8e14e/1583488407284/WiF+Policy+Brief.pdf>

	the Strategy. This issue is related to the discussion about the role of women in seafood employment		small so may not be viable or feasible to collect it.
GENDER REASSIGNMENT	We are not aware of any relevant existing evidence at this time on gender reassignment in relation to the Strategy.		
SEXUAL ORIENTATION	We are not aware of any relevant existing evidence at this time on sexual orientation in relation to the Strategy.		
RACE/ NATIONALITY	<p>A range of nationalities were represented in the 753 crews from sampled vessels in Marine Scotland Workforce Survey.</p> <p>Respondents from the United Kingdom identified their nationality as Scotland, Shetland [2] and England [3] , and accounted for 67.7%, 2.5% and 1.6%, respectively. Crews from the European Economic Area (EEA) totalled 8.1% of those sampled and came from six countries - Ireland, Latvia, Lithuania, Poland, Romania and Spain. Crews from non- EEA countries totalled 19.3% and came from four countries - Philippines, Ghana, Sri-Lanka and Belarus.</p> <p>Filipino and Ghanaian crews account for the majority of crews from non- EEA countries - 80% and 15%, respectively. Between the 2013 and the 2015 survey, the percentage of Ghanaian crew sampled</p>	Scottish Sea Fisheries Employment 2015; Marine Scotland Science ¹⁷	There are likely to be changes in what nationalities will represent the workforce of the fishing sector post-Brexit.

¹⁷ <https://www.gov.scot/publications/scottish-sea-fisheries-employment-2015/pages/2/>

	has changed from 1.3% in 2013 to 2.9% 2015. Romanian crew, who were absent in the 2013 sample, made up 3.9% of the sampled crew in 2015.		
RELIGION OR BELIEF	We are not aware of any relevant existing evidence at this time on religion or belief in relation to the Strategy.		
MARRIAGE AND CIVIL PARTNERSHIP (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details)	The Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices.		

Stage 3: Assessing the impacts and identifying opportunities to promote equality

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

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation	X			The strategy aims to promote industry to younger people and attract younger workforce to enter the industry.
Advancing equality of opportunity	X			
Promoting good relations among and between different age groups	X			

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	There is no data nor research on disability in the sea-food industry workforce as far as we are aware. It is difficult to assess the type of impacts without further data.
Advancing equality of opportunity			X	
Promoting good relations among and between disabled and non-disabled people			X	

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

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			The strategy recognises that there are a wide range of groups that are involved in fishing, both directly and indirectly, and will ensure that we are inclusive in our management approach and our policies. Women play an active role in many parts of the industry although this is not always readily acknowledged. Going forward the strategy will seek to recognise the important role that all parts of society make to the fishing industry, and to promote involvement across all genders and equalities groups in a positive and inclusive way.
Advancing equality of opportunity	X			As above
Promoting good relations between men and women	X			As above

Do you think that the policy impacts on women because of pregnancy and maternity?

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			Similar to what we said for the gender characteristic, the strategy recognises that there are a wide range of groups that are involved in fishing, both directly and indirectly, and will ensure that we are inclusive in our management approach and our policies. There is an opportunity here to highlight the role that many women play in Scottish fishing industry as these women are often overlooked and less visible within the industry.
Advancing equality of opportunity	X			As above
Promoting good relations	X			As above

Do you think your policy impacts on people proposing to undergo, undergoing, or who have undergone a process for the purpose of reassigning their sex? (NB: the Equality Act 2010 uses the term ‘transsexual people’ but ‘trans people’ is more commonly used)

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This depends on whether any trans men or women are present in the fishing sector. We are not aware of any relevant existing evidence at this time on gender reassignment in relation to the Strategy. However, there might be an opportunity for more data to be brought to our attention as a result of publishing this EQIA.
Advancing equality of opportunity			X	As above
Promoting good relations			X	As above

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

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	We are not aware of any relevant existing evidence at this time on sexual orientation in relation to the Strategy. However, there might be an opportunity for more data to be brought to our attention as a result of publishing this EQIA.
Advancing equality of opportunity			X	As above
Promoting good relations			X	As above

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

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination	X			<p>The Strategy recognises that there are a wide range of groups that are involved in fishing, both directly and indirectly, and will ensure that we are inclusive in our management approach and our policies.</p> <p>In line with our “Fair Work First” policy, the Strategy makes it clear our view that all those working in the fishing industry, regardless of national origin, should be paid and treated fairly.</p>
Advancing equality of opportunity	X			As above
Promoting good race relations	X			As above

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

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	<p>We are not aware of any relevant existing evidence at this time on religion or belief in relation to the Strategy.</p> <p>However, there might be an opportunity for more data to be brought to our attention as a result of publishing this EQIA.</p>
Advancing equality of opportunity			X	
Promoting good relations			X	

Do you think the policy impacts on people because of their marriage or civil partnership?

Marriage and Civil Partnership¹⁸	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	<p>We are not aware of any relevant existing evidence at this time on marriage and civil partnership in relation to the Strategy.</p> <p>However, there might be an opportunity for more data to be brought to our attention as a result of publishing this EQIA.</p>

¹⁸ In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	Yes – positive There may be certain groups with protected characteristics such as gender, age and nationality where a policy could have an impact so steps will be taken to ensure that there are not unintended negative consequences for those groups. For those characteristics where we did not have any relevant existing evidence for assessing whether impacts would occur or not, we would be looking to review this EQIA should these data become available.
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ¹⁹ ?	No
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	No
If not justified, what mitigating action will be undertaken?	No

Describing how Equality Impact analysis has shaped the policy making process

Developing the EQIA for FFM Strategy has been an extremely useful exercise. This process has emphasised the vital importance for us as policy makers to give full recognition to the wide diversity of those who are involved in fishing and to ensure that we are inclusive in our management approach and our policies. As a result of this exercise we updated our strategy to encourage that long needed cultural change, creating opportunities that will be open to women e.g. skippers on fishing boats and promoting fishing as an attractive and safe career of choice, with a focus on improving safety standards, fair work, supporting new entrants into the sector, and equal treatment regardless of national origin or gender. The delivery plan for the strategy will highlight women's role and also find solutions to better support the access of women to a wider range of employment opportunities on an equal footing as men, including the need to challenge prevailing gendered assumptions.

¹⁹ See EQIA – Setting the Scene for further information on the legislation.

The process has also encouraged us to think about the intersection of other protected characteristics and this EQIA has particularly raised the point that we need to consider doing more in relation to other characteristics, e.g.: race and disability, which are often visually absent from the image of Scottish fisheries.

Most significantly, this EQIA has highlighted important gaps in the data on certain protected characteristics within the fishing industry. There is a need for data collection – particularly in relation to disability - in order to better understand the picture of those working within the industry and the patterns of inequality which may exist. In our evaluation of this strategy, we will continue to use any new data that is provided, to help address issues of inequality that come to light.

Monitoring and Review

Each policy which will derive directly from this strategy will be considered for EQIA purposes in its own right. This will give us the opportunity to ensure that equalities issues are taken into consideration throughout the development of any subsequent policy, to ensure that there are not unintended consequences of adverse impacts, and that any negative impacts are mitigated wherever possible.

Stage 5 - Authorisation of EQIA

Please confirm that:

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

Yes No

- ◆ Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- Eliminating unlawful discrimination, harassment, victimisation;
- Removing or minimising any barriers and/or disadvantages;
- Taking steps which assist with promoting equality and meeting people's different needs;
- Encouraging participation (e.g. in public life)
- Fostering good relations, tackling prejudice and promoting understanding.

Yes No

- ◆ If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for Scotland's Future Fisheries Management Strategy 2020-2030 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Allan Gibb

Position: Head of Sea Fisheries Division

Authorisation date: 10 December 2020