

# Significant inequalities in Scotland: Identifying significant inequalities and priorities for action

Equality and Human Rights Commission Scotland  
and the Office for Public Management



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**Equality and Human Rights Commission Scotland  
and the Office for Public Management**



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The views expressed in this report are those of the writers only, and do not represent a policy position on the part of the Commission. The Commission is publishing this report as a contribution to discussion and debate.

## **Executive summary**

### **Introduction**

The Office for Public Management (OPM) was commissioned by the Equality and Human Rights Commission (the Commission) in Scotland to carry out research to inform the debate about the most significant inequalities in Scotland and how public authorities can focus their efforts to best effect in tackling them. There is extensive evidence to suggest that Britain is an unequal country (Hills et al., 2010), more so than 40 years ago – and the trends in Scotland are the same. In addition, the current economic climate and recent change in UK government, rolling out significant public spending cuts and proposing changes to the relationship between state and society, are likely to have a profound impact on equality in future years. Current public spending cuts could further widen inequality in Britain. There are real risks that women, ethnic minority groups, disabled people and older people will be disproportionately affected (Hogarth et al., 2009). Making transparent and proportionate decisions about equality priorities in the context of spending cuts means using the best available evidence to inform policy decisions.

Scotland has many of the right tools to build a fairer society. First, in the Equality Act 2010, Britain has one of the most developed equality law frameworks of any country. Second, equality is a founding principle of the Scottish Parliament. And, third, the Scottish Government has made an explicit policy commitment to ‘tackle the significant inequalities’ in Scottish society by 2017 (Scottish Government, 2010a). Yet, as the Scottish Government recognises, success in achieving this outcome will rely on: the quality of the evidence on the nature and extent of inequality in Scotland, and identifying where the most significant impact can be made on outcomes.

### **Purpose of this research**

This research aims to develop greater clarity about significant inequality in Scotland, the priorities for action and the importance of improving the evidence base.

In particular, this research set out to:

- gain greater insight into criteria used by academics, professionals and practitioners in defining significant inequality and identifying the most significant inequalities in Scotland

- gain a better understanding of the equality issues that stakeholders feel should be the focus of attention to address significant inequality in Scotland
- use the Equality Measurement Framework (EMF) to organise and measure significant inequalities, and
- develop and test a process for prioritising.

There were three phases of activity to complete this research:

- Phase 1 involved a rapid review of literature and interviews with 16 strategic equality stakeholders in Scotland to generate an initial set of criteria for defining significant inequality and an initial list of significant inequalities in Scotland.
- Phase 2 involved two full-day deliberative events attended by more than 60 delegates representing a wide variety of organisations and interests across Scotland. This built on, and refined, Phase 1 findings to produce final agreed criteria of significance and a final agreed list of significant inequalities.
- Phase 3 involved two inputs. First, we compared the list of significant inequalities with the EMF in order to analyse the relevance of the EMF as a conceptual, organisational and measurement tool in the Scottish context. Second, we developed a process for identifying priorities for action, refined a set of criteria for deciding priorities and applied these to identify two specific issues for further analysis.

We hope the approach taken in this research – using a series of criteria to define significant inequality and priorities for action – could also be useful to public authorities to do the same; understanding how they can focus their efforts to best effect.

### **Criteria to identify significant inequality**

The five criteria for identifying significant inequality that emerged from this research are:

- Scale: does inequality have an impact on a large number of people? Does inequality impact on one group more than the average?
- Severity: does inequality have a severe or enduring effect on individuals or society? Does it infringe on human rights? Do multiple inequalities exist?
- Persistence: is inequality experienced repeatedly over a period of time?
- Cost: does inequality have a high cost to individuals and to society, in terms of cost to the public purse and cost to the wellbeing of the country?



- Opportunity: is inequality the result of a lack of resources or recognition needed to enjoy a range of substantive freedoms in life?

All these criteria were selected based on their potential measurability.

### **Significant inequalities in Scotland**

Drawing on these criteria, we identified the following as significant inequalities in Scotland:

#### *Opportunities and resources*

- Poverty/low income: poverty, low income and economic inactivity have different effects on different people. There is recognition of both relative poverty (that is, the gap between the rich and poor) and absolute poverty (for example, having an income that is below a certain fixed amount).
- Access to services: this includes a wide range of services such as housing, leisure, transport, justice and healthcare; equal access to advice and guidance; and voice and dignity when using services.
- Employment: the key issues are access to and progression within the labour market, equal pay and tackling discrimination in the workplace.
- Education: key issues here are bullying and harassment in schools, segregation resulting from dividing children into mainstream/special and state/private schools and inequality of educational attainment.
- Health: the key issues are inequality in access to health advice and guidance, and inequality of health outcomes.

#### *Attitudes and awareness*

- Discrimination, social exclusion and lack of participation: the key issues include limited opportunities for participation in society (including digital exclusion) and in community groups, the impact of negative attitudes, and a lack of awareness of the needs and abilities of specific groups.
- Targeted violence and safety (physical security): the key issues include domestic abuse, targeted violence and other violations of physical security. Also included here are concerns with public violence and domestic abuse associated with sectarian football matches. Targeted victimisation and harassment based on visible or perceived difference also affect safety and freedom of expression.

## **Using the Equality Measurement Framework (EMF) to organise and measure significant inequalities**

One of the aims of this research was to test the validity and model a use of the EMF in Scotland. The EMF defines equality as occurring where people achieve a range of central and valuable freedoms in life that they need to flourish. All elements of the EMF, including the areas of life, substantive freedoms, spotlight indicators and measures, were arrived at through extensive consultation with a wide range of stakeholders alongside specialist statistical and theoretical work. Nevertheless, we wanted to test its validity further by comparing it with the significant inequalities identified in this research. This analysis highlighted that the issues identified as significant through this research link well with the 10 areas of life within the EMF, and there are also significant overlaps with the EMF spotlight indicators.

In addition, our analysis shows how the EMF can be used at different levels:

- Conceptualising equality: prompting us to be clearer about ‘equality for whom?’ and ‘equality of what?’
- Organising equality: the substantive freedoms and spotlight indicators help us to focus in on specific aspects of equality that we can measure and track progress on over time.
- Measuring equality: the suggested data sources cited in the EMF provide robust tools to measure equality, allowing us to capture a rich picture of the state of equality.

There is already encouraging evidence of Scottish public authorities using the EMF in these ways to drive progress in tackling inequality and promoting diversity.

As a result, we conclude that the EMF is a valuable tool for analysing significant inequality in Scotland. It could also help public authorities set and measure equality outcomes appropriately. The rich information that can be drawn from analysis of equality issues using the EMF indicators and measures could help public authorities move away from a bureaucratic ‘tick box’ approach to equality towards a stronger focus on outcomes.

There are, however, important limitations to using the EMF in Scotland. Since some EMF areas of life (such as Individual, Family, Social Life and Identity, Expression, Self-respect) have not traditionally been the focus of equality analysis, there are significant data gaps in these areas. Although these gaps

affect equality measurement across Britain, there are specific limitations affecting Scotland. For example, due to small sample sizes for some groups, including ethnic minority and non-Christian religious groups, it is not always possible to capture these groups in national social surveys. Similarly, we lack a reliable baseline of how many gay men, lesbians, bisexual and trans people there are in Scotland.

Consequently, we lack a comprehensive evidence base on the state of equality for all equality groups in Scotland. This is important alongside doing more sophisticated analysis, including looking at intersections between equality issues. Success in tackling the significant inequalities in Scottish society by 2017 relies on high-quality, robust evidence on the nature and extent of inequality in Scotland and identifying where the most significant impact can be made on outcomes. The Scottish Government has already taken important steps to improve the evidence base. It has developed 20 core questions on equality for inclusion in five major social surveys and will add a question on sexual orientation to the Scottish Household Survey from 2010, adding to questions asked in the Scottish Crime and Justice Survey and the Scottish Health Survey. Having access to high-quality, robust evidence is of paramount importance in a time of tight budgets when public authorities need more than ever to target resources where they are most needed.

### **Developing a prioritisation process**

The final stage of this research developed a process to help identify priorities for action, with three prioritisation criteria identified:

- Is there a real opportunity to take action that would bring about positive change?
- Is there potential for the Commission to use the range of its available powers to achieve change?
- Would intervention support the Commission's role as a modern regulator?

An internal Commission workshop tested these criteria and applied them to identify two specific issues for further analysis. The two issues are: elder abuse and personalisation of social care. Our analysis of these two issues focuses on better understanding their potential as priority areas and what sort of action could be taken if these issues were prioritised by the Commission in Scotland.

*Elder Abuse:* Elder abuse is recognised as a significant problem in Scotland, and one that has been largely overlooked by policy and legislation. Following

implementation of the Equality Act 2010, public authorities will be required to promote age equality in the provision of goods, facilities, services and public functions. This new legislative context provides the Commission in Scotland with an important opportunity to shape the provisions of the age regulations to ensure that they address elder abuse within the health and social care setting.

*Personalisation of Social Care:* Personalisation of social care is an emerging policy agenda. While largely seen as a positive step in increasing choice and control within social care delivery, personalisation can exacerbate inequality. The Commission in Scotland could perform a valuable role in scrutinising the equality dimensions of personalisation, including progression of the Self-Directed Support (Scotland) Bill and the Independent Living activities being driven forward by Scottish Government.

## **Conclusion**

By informing the debate about significant inequality in Scotland, this research should help the Commission and public authorities operating in Scotland to direct attention to improving the evidence base in order to ensure decisions about resource allocation are based on reliable information. We hope the approach taken in this research – using a set of criteria to define significant inequality and priorities for action – could be useful to public authorities, providing an approach to setting and measuring equality outcomes appropriately, and understanding how they can focus their efforts to best effect.

## 1. Introduction

The Office for Public Management (OPM) was commissioned by the Equality and Human Rights Commission (the Commission) in Scotland to carry out research to inform and influence the Scottish Government's National Outcome 7, which is concerned with tackling the significant inequalities in Scottish society by 2017, and to help the Commission and public authorities target resources where they are most needed.

Since devolution in 1999, Scotland has continued to develop and strengthen its own distinctive legislative and policy context, separate from that governing England and Wales. The devolved context means that there are different drivers and levers available to public authorities operating in Scotland that might be used to help tackle inequality.

An example of this distinctive policy context is the Scottish Government's National Performance Framework, which includes a pledge to tackle the significant inequalities in Scottish society by 2017. As the government explains:

‘Success in achieving this outcome will be influenced by: the progress made in identifying the complex range of behaviours and determinants which contribute to poverty and inequality; identifying where the most significant impact can be made on outcomes; taking appropriate action.’  
(Scottish Government, 2010a)

This puts the emphasis squarely on understanding the problem, followed by timely and outcomes-focused actions. The Scottish Government highlights that success in achieving this outcome depends on the quality of the data and information on the nature and extent of inequality in Scotland.

At the UK level, the current and foreseeable economic climate coupled with the recent change in the UK government, and the associated implications of public spending cuts and changes in the relationship between state and society, are likely to have a profound impact on equality groups in coming years. There are real risks that women, ethnic minority groups, disabled people and older people will be disproportionately affected (Hogarth et al., 2009). This is particularly the case given that the public sector comprises a larger share of the economy of Scotland than in the rest of Britain (Dewar, 2009).

This may be compounded by further challenges should Britain suffer a double-dip recession, as some commentators have been anticipating. Looking at the potential implication for disabled people, evidence from previous recessions has shown that disabled people have tended to experience an increase in, and longer duration of, unemployment during an economic downturn (Berthoud and Blekesaune, 2006; Stafford and Duffy, 2009). Latest projections by Ernst & Young's Scottish ITEM Club (2010) further warned that Scotland may take longer to recover from this recession than the rest of Britain due to the composition and structure of the Scottish economy, which displays a greater dependence on the public sector and a weaker export base in comparison with the rest of the UK.

The recently announced plans to pursue root and branch welfare reform may lead to sustained levels of hardship for some equality groups. At the same time, the impact on equality groups of the rolling back of the state (for example as a direct provider and commissioner of public services), with the accompanying move towards greater localism, is as yet unknown. These complex structural changes, and the way they interact with regional and local contexts across the different countries of Britain, make it all the more important to target scarce resources efficiently and effectively. In this climate, decisions around what to prioritise need, more than ever, to be both evidence based and transparent.

It is in this wider social and economic context that this project has developed. It provides an opportunity to inform the debate about significant inequality in Scotland and the main priorities for action for the Commission and public authorities in Scotland.

### **1.1 The Equality Measurement Framework**

The Equalities Review (Cabinet Office, 2007) offers an important framework shaping the terrain on which this research developed. The Equalities Review built on the capability approach, first conceived by the economist Amartya Sen. This approach focuses on what matters to people – that is, the things in life that people can do and be.

The Equalities Review defines an equal society as one that:

‘...protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations

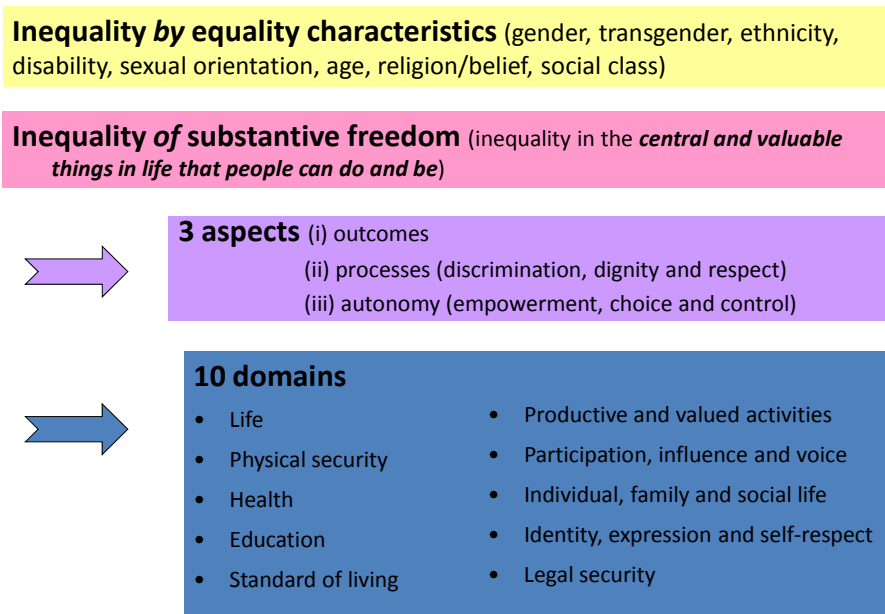
and goals, and removes the barriers that limit what people can do and can be.’ (Cabinet Office, 2007: 109)

The Equalities Review reflects, as part of its analysis, on persistent inequality. In so doing, the authors recognise a relationship between the experience of inequality and the potential that this will lead to further disadvantage in particular circumstances. This focus on persistence offers a valuable contribution to debates on equality. However, concern with significance is likely to go further, for example highlighting the scale of the inequality or seriousness/severity of the experience of inequality, as well as looking at persistence over time.

### **What is the Equality Measurement Framework?**

The Equality Measurement Framework (EMF) builds on the conceptual work developed through the Equalities Review, taking on the recommendations in that report to develop the necessary tools to help measure progress on achieving equality. Notably, the Commission has been working in partnership with the Government Equalities Office (GEO), the Scottish Government, the Welsh Assembly Government, the Office for National Statistics (ONS), and a range of other stakeholders and subject experts, to develop a measurement framework that can be used to assess progress on achieving equality and human rights across a number of areas of life.

The EMF is designed to provide a comprehensive and accessible framework to measure equality in Britain (see Figure 1.1). It is underpinned by the international human rights framework and further refined and supplemented through extensive consultation activities.

**Figure 1.1: Equality Measurement Framework: core building blocks**

Alkire et al. (2009) highlight the complexity and multi-faceted nature of measuring equality, which the EMF aims to illuminate and help navigate. Following extensive consultation and specialist statistical and theoretical work, the EMF sets out 10 areas of life and 48 spotlight indicators to help measure equality. These ‘spotlight’ indicators draw attention to the most salient aspects of equality in the 10 areas of life, rather than being a comprehensive list of equality issues in each area. For many of the indicators, the EMF provides measures that can be used to assess progress towards achieving equality in that area. A full list of the measures, spotlight indicators and areas of life is provided in Appendix A. The sources to help measure progress towards achieving equality are derived from currently available or proposed new large-scale national social surveys.

### **The purpose of the Equality Measurement Framework**

The Equalities Review recommended that the EMF be ‘used by all public authorities, to agree priorities, set targets, and evaluate progress towards equality’ as well as being used by the Commission ‘to inform its triennial report’ (Cabinet Office, 2007; 110). The EMF provides the tools to build a baseline of evidence. This can, through regular monitoring over time, provide the information needed by the Commission and public authorities to evaluate progress towards equality, while also informing decisions about priorities for action. The EMF offers an approach that public authorities can use to ensure a coherent outcomes approach is used to meet their equality duties. The EMF, therefore, assists the Commission in meeting its statutory



requirement (set out within the Equality Act 2006) to report on the state of equality, good relations and human rights in Britain every three years. It can also assist public authorities to set and measure equality outcomes appropriately. In short, the EMF is an important resource to conceptualise, organise, measure and assess progress in achieving equality over time. It also has potential to inform how the Scottish Government assesses progress towards tackling Scotland's significant inequalities.

### **1.2 Research aims and approach**

At the time of initiating this project, the intention was to:

- conceptualise 'significant' inequality
- identify equality issues for detailed analysis
- undertake research and policy analysis of those identified equality issues, and
- highlight recommendations for tackling significant inequalities in Scotland.

Given the breadth and scale of the work, it was proposed that the EMF provide the framework for identification and analysis of significant inequalities.

While the broad aims have remained similar, the approach to achieving them and the methods needed to pursue this activity have changed as the project has progressed. For example, at the start of the life of this project, the aims were to:

- gain greater insight into the criteria used by academics, professionals and practitioners in defining 'significant inequality' and in identifying the most significant inequalities in Scotland
- gain a better understanding of the equality issues that stakeholders feel should be the focus of attention to address significant inequality in Scotland
- use the Equality Measurement Framework (EMF) to map the areas of significant inequality and highlight gaps in current data and research evidence, and
- form recommendations about which equality issues should be a priority for action, and which partners are best placed to help take this forward.

During data collection for Phases 1 and 2, it became clear that the lack of previous discussion and analysis of inequality using the lens of 'significance' meant that stakeholders found it challenging to identify a small number of inequality issues that should be the focus of detailed analysis based on 'significance'. By analysing specific themes or group issues, the concern was

that this would suggest that the issues chosen were more important or pressing than other issues (see Chapter 3 for further discussion).

The research had not been set up in a staged way to firstly identify a number of criteria of significance before then using these to analyse a range of inequalities. This meant that it was difficult to move beyond a high-level list of inequalities. As a result, a number of changes to the original proposed approach had to be made to ensure that the project delivered valuable outputs. These changes focused mainly on:

- Recognising that the criteria of significance and the high-level list of inequalities emerging from the first two phases of this research offer the first explicit attempt to conceptualise, organise and prioritise inequalities. Consequently, the approach taken did not assist us in arriving at a small number of inequality issues for detailed analysis.
- Identifying prioritisation criteria (that built on the significance criteria) that were intended to allow us to prioritise between significant inequalities.
- Introducing to the research brief an internal workshop with Commission staff, Commissioners and Research Advisory Group members to test the prioritisation criteria in order to assist with identifying a small number of priority issues for detailed analysis.

In its final iteration, the project was intended to develop greater clarity about significant inequality in Scotland, the priorities for action and the importance of improving the evidence base. In particular to:

- gain greater insight into criteria used by academics, professionals and practitioners in defining significant inequality and identifying the most significant inequalities in Scotland
- gain a better understanding of the equality issues that stakeholders feel should be the focus of attention to address significant inequality in Scotland
- use the Equality Measurement Framework (EMF) to organise and measure significant inequalities, and
- develop and test a process for prioritising.

The activity that was undertaken to complete this project is set out in detail in Table 1.1 below.

**Table 1.1: Research aims, methods and outputs**

	<b>Aims</b>	<b>Methods</b>	<b>Outputs</b>
Phase 1	Develop criteria for defining significant inequalities in Scotland from empirical and/or normative viewpoint. Identify an initial list of significant inequalities. Use the EMF to organise and measure the significant inequalities.	Rapid review of literature. Interviews with a sample of key stakeholders. Analysis of the fit between the EMF areas of life and significant inequalities in Scotland.	Nine criteria for defining significant inequalities. Eight significant inequalities. Document showing how inequalities map onto the EMF. Internal report synthesising and analysing the key evidence.
Phase 2	Engage wider group of stakeholders to test and refine criteria of significance and list of significant inequalities.	Two deliberative events (13 January and 3 February 2010) involving over 60 attendees representing a wide variety of organisations and interests across Scotland.	Revised significance criteria and list of significant inequalities. Internal summary document capturing the key messages and feedback from the two deliberative events. Internal report outlining findings and lessons learned, and making recommendations for the next phase of the project.
Phase 3	Test value of the EMF as a tool to conceptualise, organise and measure significant inequalities. Generate criteria for prioritisation. Help identify priorities for action, for the Commission and public authorities. Undertake detailed analysis of two selected issues identified as priority areas.	Analysis of significant inequalities and criteria of significance to illustrate the value of the EMF at various levels. Consultation with Senior Management Team, Scotland Committee and Research Advisory Group. Deliberative workshop (with above). Analysis of two selected issues identified as priority areas.	Table presenting significant inequalities matched to EMF areas of life, indicators and measures. Analysis of significant inequalities using five criteria of significance. Shortlist of priorities for action. Internal report capturing process learning. Final research report.

We should recognise that developments that took place during the life of this research (both within the Commission and within the external environment) may have influenced the issues that emerged. For example, the recession and the anticipated (now realised) cuts in public spending have been a critical focus of attention during this period. Within Scotland, policy concern with early years (for example Scottish Government and COSLA, 2008), the low carbon agenda (for example Scottish Government, 2010b) and media attention on inequality in access to and performance within education,<sup>1</sup> have also been critical concerns during this period. These developments may have shaped the focus of discussions that took place in this research.

The methods involved in the three phases of this research are described below.

### **Rapid review of literature**

The main purpose of the rapid review was to ascertain:

- How the available literature conceptualises significance.
- The range of current inequalities highlighted as relevant to Scotland.
- The various ways in which equality is discussed, that is, how data on equality is presented, what evidence is drawn on and where there are gaps in data.

As part of this process, inclusion criteria were devised, and a clear process for sourcing documents and extracting relevant information was set up. This was informed by good practice guidance set out by Government Social Research for rapid evidence assessment. A list of search terms is presented in Appendix B.

As the name suggests, a rapid review is not intended to be exhaustive. It provides a focused overview of a discreet number of relevant sources. The evidence gathered is then be used to inform discussions with stakeholders. A total of 52 documents were reviewed. A list of the documents reviewed is available from the Commission on request.

### **Interviews with key stakeholders**

Complementing the rapid review, we conducted 16 telephone interviews with a number of stakeholders involved in equality work in Scotland (a list of the interviewees and their organisational affiliation is available from the Commission

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<sup>1</sup> For example 'Poor literacy means we are failing too many young people', The Herald, 24 February 2010. Available at: <http://www.heraldscotland.com/comment/herald-view/poor-literacy-means-we-are-failing-too-many-young-people-1.1008849> (accessed 27 October 2010).

on request). The aim was to engage stakeholders who have strategic knowledge of equality, involvement in the equality agenda and broad-ranging expertise of equality in Scotland. While stakeholders representing all equality groups were approached to take part in these interviews, we were only able to involve those who were willing and available to be interviewed in October and November 2009.

The aim of the interviews was to explore:

- criteria used by stakeholders to define significance in the context of inequality in Scotland
- the rationale behind the chosen criteria, and
- which inequalities stakeholders thought were most significant in Scotland at present.

### **Deliberative events**

The original design of Phase 2 was to have included a deliberative event with around 15 external stakeholders, followed by telephone interviews with selected policymakers. In progressing Phase 1, more attention was given to engagement with stakeholders. Given that research evidence has been found to have limited influence on public services, with research needing to be made more useful and usable to have more impact (Nutley et al., 2007), it was agreed that stakeholder engagement needed to play a more central role.

Two full-day deliberative events were held in order to include a much larger number of external stakeholders in the process. The deliberative approach was adopted because we recognised that different people may have firmly held views about significant inequality. The deliberative approach offered the opportunity to discuss issues, while also exposing participants to other perspectives which would offer everyone the opportunity to engage with a range of opinions and reflect on their own views or positions.

### **Analysis of significant inequalities**

Having determined a number of criteria to identify significant inequalities, as well as a number of significant inequalities, the next step was to draw on the EMF to test whether this is a useful framework for organising and measuring significant inequality in Scotland.

## **Workshop and analysis to develop a prioritisation process**

The final stage involved developing and testing several criteria to help move from the list of significant inequalities to a small number of priorities for action. The key inputs were: identifying criteria for deciding priorities, testing these at a Commission workshop in order to identify priorities and pursuing detailed analysis of two specific issues to illustrate action that may be taken forward as a result of this prioritisation process. The criteria were identified through discussion between the Commission and OPM. The workshop was facilitated by OPM and involved Commission senior staff, Scotland Committee members and Research Advisory Group members.

### **1.3 Reading this report**

In the chapters that follow, we set out the key findings from the three phases of the research, explaining how these benefited from collaborative and cumulative refinement, before we end by distilling the valuable learning that contributed to advancing the Commission's own understanding of the issues. This process offers lessons for how public authorities may similarly embark on a transparent process for identifying significant inequalities and setting priorities.

Chapter 2: Identifying criteria for defining significant inequality – this chapter presents key findings from stakeholder interviews who identified an initial list of criteria of significance. These were then refined through deliberative events. This process resulted in five significance criteria being identified.

Chapter 3: Identifying and analysing significant inequalities – this chapter presents key findings from the rapid review of literature and stakeholder interviews, leading to an initial list of significant inequalities in Scotland. This list was refined through deliberative events, leading to identification of seven significant inequalities. This chapter also illustrates how the EMF can be used to conceptualise, organise and measure significant inequalities in Scotland.

Chapter 4: Developing a prioritisation process – this chapter discusses the process for prioritising issues for action. This involved developing criteria for prioritisation, testing their relevance with Commission senior managers and then carrying out detailed analysis of two selected issues which were seen to offer opportunities for the Commission and partners to take action.

Chapter 5: Conclusion – this chapter sets out the key messages that emerged from this research.

The report also contains a number of Appendices:

- Appendix A: EMF indicators and measures
- Appendix B: Literature search terms
- Appendix C: Summary analysis of Phase 1 data collection by equality group
- Appendix D: Areas of life and substantive freedoms
- Appendix E: Using the Equality Measurement Framework to organise and measure significant inequalities

## 2. Identifying criteria for defining significant inequality

This chapter explores criteria for defining significant inequality.

### 2.1 Criteria for defining significant inequality – findings from Phase 1

We did not find in the literature reviewed any explicit discussion or definition of ‘significance’ in relation to inequality. Therefore, the evidence presented here derives from stakeholder interviews only. Interviewees recognised that there are likely to be divergent views, and were themselves unable to cite any existing literature or previous work aimed at defining significance:

‘I haven’t been aware previously of a push by anyone to actually try to define significance in this context – there are a huge variety of ways in which people define it. This project is therefore very welcome.’ (External stakeholder)

They identified a wide range of criteria for defining significant inequality in Scotland. While there were different views on which criteria were most important, interviewees highlighted the need for a shared definition of significant inequality. In addition, they recognised that the definition of significance needs to avoid being solely reliant on statistics or numbers of people affected – it must focus on both quantitative and qualitative evidence.

Analysis of stakeholder interviews revealed an initial list of nine criteria for defining significant inequality. The Research Advisory Group reviewed these and noted that seven were clearly criteria for defining significant inequality, due to their objective measurability. Two, however, were thought to represent criteria for prioritising action, relying more on subjective or normative judgments about what is important. The boxes below provide a list of the original nine criteria.

#### **Criteria for defining significant inequality**

Impact on basic human rights.  
Severity of impact at an individual level.  
Impact on society.  
Persistence over lifetime.  
Persistence over generations.  
Specific characteristics of the group affected.  
Interaction between inequalities.



**Criteria for identifying priorities for action**

The potential for action to result in positive change.

Inequality issues specific to Scotland.

The seven significance criteria are discussed further below. The two prioritising criteria are considered in Chapter 4 when we discuss the prioritisation process.

**Criteria for defining significant inequality**

*1) Impact on basic human rights*

One of the strongest messages from interviewees was that a usable and relevant definition of significance should be firmly grounded in a human rights framework and assess the extent to which inequality has a direct impact on (among other things) people's right to life, right to an education, freedom of expression, right to privacy and freedom from torture or degrading treatment. Interviewees felt that a focus on human rights should recognise the significance of the lack of access to services and rights such as healthcare, education, justice, employment, civic life, leisure and recreation.

Interviewees felt that inequality that results in a negative impact on human dignity was of great significance, both with respect to how people view themselves and in relation to how they are viewed by others.

*2) Severity of impact at an individual level*

When interviewees were asked to define significance, the impact of inequality at the individual level was highlighted by many as important. Making explicit links with human rights violations, interviewees recognised that the severity of impact on individuals and on their lived experiences of inequality was critical. This point was often used as a counter-argument to the perceived over-reliance on crude numbers:

'The level of abuse or harm being experienced, and the impact that has for the individual is of most importance to me. Not the numbers of people affected.' (External stakeholder)

'The severity of the experience needs to be taken into account – there could be a very small number of people impacted, but the severity of their experience could be very marked.' (Internal stakeholder)

Interviewees noted the challenges in measuring and evidencing individual impact. This relates to differences in individual reactions to inequality and a lack of existing systematic methods for measuring individual impact. Interviewees recognised that different people can have different reactions to experiences of inequality. For example, Sin (2005) highlights how older people from certain ethnic minority backgrounds may have developed a higher tolerance of racism, compared with younger people from the same ethnic background, as a means of coping with the cumulative disadvantages and discrimination associated with their migration history and their reception into British society.

### *3) Impact on society*

Impact was mainly discussed in relation to the cost of inequality to society. There were two elements to this: financial cost and cost in terms of social wellbeing. A small number of interviewees felt that the financial cost of inequality to public finances was of crucial importance when defining significance:

‘For every type of inequality we need to consider ‘what is the economic impact of this?’ For example, what is the impact on the public purse of people being excluded in Scotland.’ (External stakeholder)

Interviewees also highlighted the importance of the cost of inequality on social wellbeing, societal morale and social cohesion. This was exemplified by the perceived failure to tackle persisting racial discrimination and the resulting impact on social cohesion in Scotland. Assessing the cost to social wellbeing was deemed of equal importance to that of financial cost, but more challenging to measure and evidence:

‘It is important to think about the effect of inequality for a society as a whole, such as good relations and a cohesive society. This is more subtle than the pure numbers approach, but equally important.’ (External stakeholder)

### *4) Persistence over lifetime*

A criterion highlighted by several interviewees was the extent to which inequality makes a discernable difference to the quality of people’s lives in the long term. This was discussed with a focus on the degree of impact and the extent to which that impact is enduring throughout an individual’s life. A clear distinction was made between persistent inequality and enduring impact of inequality. The former recognises that inequality can be experienced throughout life (for example disabled people gaining access to high-quality services). The latter recognises that inequality may occur at one point only but have an enduring impact over

a person's lifetime (for example the emotional or physical impact of a racially motivated attack). Levels of persistence and endurance of impact were both felt to be important in contributing to a more nuanced understanding of inequality in Scotland.

'Endurance of inequality can be seen clearly in a current example in Scotland in which economic inequality experienced by ethnic minority women in Scotland who are not fluent in speaking English is having a notable impact on their experience and levels of poverty in old age.' (External stakeholders)

### *5) Persistence over generations*

Persistence of inequality over generations was also highlighted as important. However, different interviewees held differing views on this. One group of interviewees suggested that a high priority should be given where levels of inequality are deteriorating (or at least not improving) over time. Others discussed persistence over generations with greater caution, recognising that some equality concerns have only recently been recognised due to previous lack of awareness or understanding. The clearest examples were inequality affecting transgender people and those affecting gay men, lesbians and bisexual people. The relatively recent awareness of such inequality (when compared to issues of gender and racial inequality, for example) was attributed to a long-term lack of openness and acceptance of these issues within society.

### *6) Specific characteristics of the group affected*

Several interviewees drew attention to the characteristics of the group affected by inequality. Factors they felt it was important to take into account included the levels of privilege and other opportunities available to the affected group; level of recognition by society and existing associations; and access to networks that could help improve their situation. We consider each of these points further below:

- **Levels of privilege and other opportunities available:** A number of interviewees felt that there was a need to consider the extent to which the impact of inequality on an individual or group's outcomes was likely to be mitigated or worsened by levels of privilege or opportunity. Interviewees drew a distinction between inequality that is unfair but affected a small number of otherwise privileged people, and inequality that significantly affects individuals who do not have the same access to privilege and opportunity. An example of the former is gender inequality in financial bonuses offered to women working in the City. An example of the latter is lack of choice for an older person living

in poverty who resides in a residential care home. These differences may have a marked impact on people's quality of life and dignity.

- **Level of recognition:** Commission interviewees felt the level of recognition experienced by groups within society, and the services they have access to, was of crucial importance. Where particular groups lack social recognition, inequality may be felt as more severe or persistent. Two examples of groups who may currently lack societal recognition are Muslims and older people in some rural parts of Scotland. If specific groups do not get societal recognition then services, such as health or education, may not be appropriately directed to tackle inequality.
- **Access to associations and networks:** People without contacts and links to people or organisations who can provide them with necessary services and support were felt to be in a significantly worse position than people with these connections. The example given was of small numbers of older Chinese women living in Dundee who have no Scottish connections. This, coupled with language barriers, can result in difficulties accessing necessary services, support or resources. This characteristic was linked strongly to the previous statements about recognition; with lack of recognition impacting significantly on access to networks, and vice versa.

#### *7) Interaction between inequalities*

A further criterion of significance is the existence of multiple inequalities facing an individual or a group, as well as the interactions between different forms of inequality. Interviewees highlighted that the interaction between two or more inequalities can compound the experience of inequality. For example, gender inequalities are more marked for younger women of a lower socio-economic status than for older women, or those of a higher socio-economic status, which highlights important interactions between gender, age and socio-economic status. The interaction of ageing and sexual orientation, notably when moving into residential care, offers another example of multiple inequalities that have a significant impact on an individual's life. A number of interviewees go further, arguing that interactions between different inequalities are of particular significance:

'Inequality is more significant if it has a causal relationship with other inequalities, so when this was tackled then others would be easier to deal with.' (Internal stakeholder)

For example, inequality in educational attainment can lead to inequality in access to and progression within employment. This can then compound socio-economic inequality and potentially amplify other forms of exclusion.

## **Number of people affected**

‘Numbers wouldn’t come into it in my definition of significant inequality. It is a particularly dangerous one in Scotland for certain issues and categories – it’s too simplistic a proxy to use.’ (Internal stakeholder)

While discussing the criteria that can help with identifying significant inequality, concern was noted about focusing too heavily on numbers. A focus on number of people affected can risk reducing support for groups who are not recognised and not visible. The clearest example of a group that would be overlooked if significance was defined by numbers affected is transgender people.

There were interviewees who recognised that the numbers of people affected by any particular inequality could not be ignored. These interviewees agreed that this criterion must be balanced alongside other criteria, including severity of impact on lives, human rights and wider societal outcomes.

‘Sometimes there is a tendency for Government to deal at a more aggregate statistical level, which is understandable. But the statistical threshold doesn’t translate into the reality of people’s lived existence. For us, the fundamental concern is the lived experience.’ (External stakeholder)

## **2.2 Refining criteria for defining significant inequality – insights from Phase 2**

Delegates at the two deliberative events made valuable contributions that refined and further developed the criteria emerging from Phase 1.

### **General feedback on the criteria**

- Delegates were very positive about the criteria of significance.
- It was felt that the criteria were helpful in avoiding an exclusive concern with statistics, which can miss groups that are numerically small, groups not included in large-scale surveys (for example lesbians, gay men, and bisexual and transgender people), and geographical issues (for example the experiences of those living in rural areas). Notwithstanding this, frequency and prevalence remain central concerns when measuring inequality, complemented by analysis that captures the individual lived experience of inequality.
- There was concern with how to measure these criteria. Criteria 1 to 5 can be measured using a range of empirical data, including both quantitative and qualitative sources. For example, quantitative trend data can be used to

demonstrate persistence, while qualitative methods are more appropriate for capturing the impact of inequality on individuals. However, Criteria 6 and 7 were thought to be more difficult to measure.

- Delegates highlighted that geography can be both a cause and a consequence of inequality. For example, illness and disability rates vary significantly between areas, being higher in deprived than in affluent areas. Burchardt (2003) points out that illness and disability rates are highest in areas with a legacy of heavy industry. Disability, in turn, is closely correlated to poverty (Williams et al., 2008). A geographical dimension underpins all criteria discussed. Delegates felt that this point should be more explicit in discussing significant inequality.

### **Specific feedback on the criteria**

- Delegates strongly supported the human rights approach highlighted by Criterion 1. The universality of human rights and human rights legislation can help advance efforts at tackling inequality. Some delegates also felt that this criterion should go further than a focus on basic human rights, as this suggests a focus on the lowest common denominator. Rather the focus should be on human rights more generally.
- Delegates felt that Criteria 4 and 5 should be reframed so that persistence of inequality is separate from a concern with the enduring impact of inequality.
- Criterion 6 raised concern among some delegates. Regardless of whether the specific characteristics of a group enable them to have more or less recourse to opportunities and resources, many delegates felt that the principle of fairness should apply to all. It was argued that something that is unfair remains unfair regardless of whether it happens to someone with or without good social networks or resources. Concern with the gender pay gap affecting women in senior managerial positions should not be regarded as less significant simply because these women are in senior positions and have access to opportunities and resources. We need to appreciate the negative impact of inequality at the individual level.
- Delegates debated the focus on recognition within Criterion 6. The main concern was how to define and measure recognition.
- There was a lot of discussion about Criterion 7. Delegates made a distinction between the existence of multiple inequalities and interaction between multiple inequalities. The latter are more difficult to measure but felt to be no less important to understanding significant inequality.

### **Final agreed criteria for defining significant inequality**

This final list of agreed criteria was informed by several inputs. First was the feedback from delegates at the workshops, recorded above. The second was the need to ensure that the criteria were all measureable. Finally, there were revisions based on discussions between OPM and the Commission on the links and overlaps between several of the criteria and the need to ensure that there was clarity on the distinctive features of each criterion. The final five criteria agreed for defining significant inequality are set out in the box below.

**Scale:** Does inequality have an impact on a large number of people?  
Does inequality impact on one group more than the average?

**Severity:** Does inequality have a severe or enduring affect on individuals or society? Does it infringe on human rights? Do multiple inequalities exist?

**Persistence:** Is inequality experienced repeatedly over a period of time?

**Cost:** Does inequality have a high cost to individuals and to society, in terms of cost to the public purse and cost to the wellbeing of the country?

**Opportunity:** Is inequality the result of a lack of resources or recognition needed to enjoy a range of substantive freedoms in life?

#### *Scale*

Scale has two dimensions. The first relates to the absolute numbers affected by an inequality, which may offer one measure of the potential size of the problem. The second refers to the relative gaps between groups (for example the pay gap between men and women) or the gap between some groups relative to the average (for example the ethnic minority employment rate relative to the average Scottish employment rate). This criterion was felt to be important to capture significant gaps in outcomes between different groups.

#### *Severity*

The impact of inequality is intimately connected to people's lived experiences and is linked to considerations of whether there are violations of human rights. The severity of the impact of inequality can also arise from the interconnection of different forms of inequality and the endurance of these impacts on people's lives. This criterion captures inequality where this may not affect a lot of people, but the impact on life chances and freedom of those affected can be severe and enduring.

*Persistence*

This criterion is concerned with the ongoing nature of inequality (including inequality in process, outcome and autonomy). The distinctive feature of this criterion is a focus on the continued experience of inequality over time.

*Cost*

The cost of inequality to society was identified as an important criterion in defining significant inequality. The concept of cost is understood at two levels: cost in terms of financial impact and cost in terms of social wellbeing.

*Opportunity*

This criterion is concerned with the degree of opportunity that a person has to exercise and enjoying the full range of substantive freedoms that are required to be and do all that you can in life. Opportunities are associated with access to resources and recognition and emerge from concerns raised about access to associations, networks and recognition.

**2.3 Summary**

This chapter describes a process for identifying significant inequality, highlighting five criteria of significance. Clearly, other criteria can be added, and the list could be revised to meet the specific or changing needs of particular stakeholders over time. But these criteria offer a useful starting point to inform the debate about the focus and measurement of significant inequality in Scotland. Each criterion enables inequality to be measured using a combination of quantitative and qualitative data. As Chapter 3 shows, the EMF's multi-levelled approach provides a valuable tool for analysis of significant inequalities.



### 3. Identifying and analysing significant inequalities

This chapter presents the findings from activity to identify a list of significant inequalities and then applying the Equality Measurement Framework (EMF) as an analytical tool through which to explore and analyse these inequalities further. The chapter highlights how the EMF can help with conceptualising, organising and measuring inequalities. This can improve our knowledge on the state of equality in order to aid with identifying which are the most significant inequalities that require action.

As was noted earlier, the list of significant inequalities that emerged from this research was informed by a rapid review of literature and interviews with strategic equality stakeholders, which were there further discussed with participants in the deliberative events. As a result of the methods used to progress this study, the inequality issues identified were not tested against the criteria of significance so remain as high-level equality themes. This chapter highlights the match between these themes and the EMF areas of life as well as a number of overlaps with the EMF spotlight indicators, suggesting that the issues emerging from this research illustrate significant inequalities.

#### 3.1 Initial list of inequalities – findings from Phase 1

Phase 1 involved a rapid review of literature and a number of stakeholder interviews in order to identify significant inequalities in Scotland. A summary of the key messages from this phase is presented below (Appendix C provides a fuller account of this activity).

**Age:** Including: inequality in older age, particularly physical security, elder abuse and inequality experienced by ethnic minority older people; older people's exclusion from the labour market; lack of access to services for ethnic minority older people living in rural parts of Scotland, particularly where language is a barrier.

**Disability:** Including: lack of political participation, access to services and social exclusion across a range of spheres (including access to employment); interactions between discrimination / exclusion and poverty that perpetuate a negative cycle of inequality; the prevalence of targeted victimisation and harassment of disabled people; bullying of young disabled people in schools.

**Ethnicity:** Including: physical security; economic inactivity; lack of access to services; negative attitudes to Scottish Gypsy Travellers.

**Gender:** Including: health inequality (women living longer than men); inequality in educational attainment (boys not attaining educationally at the same rate as girls); domestic abuse; the continuance of the gender pay gap.

**Religion or belief:** Including: discrimination and abuse experienced by Muslims, with particular focus on older Muslims experiencing targeted hostility.

**Sexual orientation:** Including: stereotyping of lesbians, gay men and bisexual people; abuse and hate crime; geographical isolation and lack of freedom of expression when living in rural Scotland; access to specific services, for example fertility treatment and adoption services.

**Transgender:** Including: widespread discrimination and targeted hostility; unequal access to services, for example housing and healthcare; higher than average prevalence of mental health conditions impacting on self-esteem and emotional wellbeing.

**Social class:** Socio-economic / social class inequality was a central issue highlighted. For example: persistence of class-based inequality in educational attainment; health inequality by class; the effect of social class on other inequalities, such as where we live, access to quality education and healthcare, and the risk of being a victim of crime.

### 3.2 Refining the list of inequalities – insights from Phase 2

For the deliberative events, Phase 1 analysis was clustered around key thematic headings rather than being organised around group characteristics. This reorganisation led to eight inequality themes being identified (see box below).

1. Poverty and low income.
2. Targeted violence and safety (physical security).
3. Access to services.
4. Employment.
5. Education.
6. Health.
7. Discrimination, social exclusion and lack of participation.
8. Visible difference.

The rationale for re-organising the evidence on this basis is that:

- It encourages people to work collaboratively across conventional boundaries delineated by affiliation to particular equality groups.

- Most of the issues resonate with key policy areas, and are also reflected through the Scottish Government's National Performance Framework.
- It keeps the focus on the key issues, while avoiding getting bogged down by too much detail from the outset.
- It presents the issues as human issues that are relevant to everyone rather than only of interest to specific group-based interests.

### **Feedback on the initial list of significant inequalities**

- Delegates found the thematic focus helpful as a way of thinking about equality. However, it is important that a thematic focus considers all equality groups as there is the risk that some groups will be overlooked if they do not immediately come to mind when the issue is discussed.
- Delegates noted that the themes identified are not mutually exclusive, that they can interweave and overlap. In particular poverty/low income and socio-economic inequality (for example, the increasing gap between the rich and the poor) can underpin or amplify group-based inequality. Access to, and attainment within, education similarly has implications for employment, which in turn affects other life chances.
- By drawing together issues raised in Phase 1 such as discrimination against disabled people and Muslims under the banner of 'visible difference', delegates felt there was a foregrounding of these issues as more important than invisible differences (for example, many mental health conditions). Delegates felt that issues of visible difference would be better captured through the targeted violence and safety (physical security) theme. Visible difference may also be considered, alongside invisible differences, within the discrimination, social exclusion and lack of participation theme.
- It was felt that 'physical security' could expand to include sectarianism and football-related violence, as well as domestic abuse.
- 'Discrimination, social exclusion and lack of participation' could also include digital inclusion.
- Access to services should include raising awareness of availability of services and ensuring that services take a proactive approach to promote wellbeing, not just a reactive approach to tackle difficulties. Delegates felt that access to, and accessibility of, good quality housing should be part of this theme, as should access to justice.
- The significant inequalities could be organised around those that relate to resources and opportunities (or access to these) and those that relate to attitudes and awareness (both positive and negative) at both the level of the general public and among/between equality groups.

- Recognising that inequality is dynamic, assessment of significant inequalities should not just focus on what is happening now. Foresight can play a vital role in investigating how inequality and its relative significance may change over time. Given the current economic and political context, this foresight approach takes on even more importance.
- Delegates offered valuable insights about the organisation and relative importance of the significant inequalities discussed. However, there was a reluctance to prioritise specific inequality concerns over others. This related largely to concerns that those issues not prioritised might be thought of as less significant, and less likely to be addressed. Where priorities did emerge, these focused on health inequality and poverty. There were also discussions about poverty/low income, education and employment, which were identified as cross-cutting issues that interact with other forms of inequality. This suggests that these issues are particularly important to focus on.

### 3.3 Final agreed list of significant inequalities

Based on feedback from the two deliberative events, the final agreed list of significant inequalities is presented in the box below.

#### **Opportunities and resources**

Poverty and low income.

Access to services.

Employment.

Education.

Health.

#### **Attitudes and awareness**

Discrimination, social exclusion and lack of participation.

Targeted violence and safety (physical security).

#### **Opportunities and resources**

1) *Poverty/low income*: poverty, low income and economic inactivity affect different people in different ways. There is recognition of both relative poverty (that is, the gap between the rich and poor) and absolute poverty (for example having an income that is below a certain fixed amount).

2) *Access to services*: this includes a wide range of services such as housing, leisure, transport, justice and healthcare; equal access to advice and guidance; and voice and dignity when using services. Access to services also includes access to, and voice and dignity within, preventative services.

3) *Employment*: the key issues are access to and progression within the labour market, equal pay and tackling discrimination in the workplace.

4) *Education*: key issues here are bullying and harassment in schools, segregation resulting from dividing children into mainstream / special and state / private schools and inequality in educational attainment.

5) *Health*: the key issues are inequality in access to health advice and guidance and inequality in health outcomes between groups.

Attitudes and awareness

6) *Discrimination, social exclusion and lack of participation*: the key issues include limited opportunities for participation in society (including digital exclusion) and in community groups, the impact of negative attitudes and a lack of awareness of the needs and abilities of specific groups.

7) *Targeted violence and safety (physical security)*: the key issues include domestic abuse, targeted violence and other violations of physical security. Also included here are concerns with public violence and domestic abuse associated with sectarian football matches. Targeted victimisation and harassment based on visible or perceived difference also affect safety and freedom of expression.

### **3.4 Using the EMF to organise and measure significant inequalities**

One of the aims of this research was to test the validity and model a use of the EMF in Scotland. The EMF defines equality as occurring where people achieve a range of central and valuable freedoms in life that they need to flourish. All elements of the EMF, including the areas of life, substantive freedoms, spotlight indicators and measures, were arrived at through extensive consultation with a wide range of stakeholders alongside specialist statistical and theoretical work. Nevertheless, we wanted to test its validity further by comparing the EMF with the significant inequalities identified in this research. This analysis highlighted that the issues identified as significant inequalities through this research link well with the 10 areas of life within the EMF, and there are also significant overlaps with the EMF spotlight indicators.

Our analysis further shows that the EMF is particularly well suited to help provide a clear and comprehensive framework that allows us to conceptualise, organise and measure inequality. The EMF can be used to facilitate analysis of inequality in a number of ways, examples of which are illustrated below.

#### **The EMF as a conceptual tool**

As noted in Chapter 1, the EMF is underpinned by the idea that assessment of inequality should be based on central and valuable freedoms, or the various substantive freedoms, activities and aspects of wellbeing that our society

considers important for everyone. This approach focuses on what matters to people (the important things in life that people can actually do and be). It recognises that people have different needs and that some people may need more or different resources to have access to the same outcomes as others. It also places emphasis on the barriers and constraints under which people operate, and recognises that people have diverse goals in life. The EMF captures three important aspects of equality:

- outcome: the things people are able to do or be in their lives; whether everyone really has the same substantive freedom to flourish
- process: whether discrimination (or some other barrier or process) causes or contributes to a particular inequality, and
- autonomy: what degree of choice and control an individual has in achieving valued activities.

In order to meaningfully and accurately measure inequality in real freedoms and opportunities, it is important to supplement measurement of inequality in outcomes and the degree of choice and control with measurement of unequal treatment, including discrimination and other processes that are not always revealed by measurement of actual outcomes. For instance, a person from an ethnic minority background may be refused a job for purely racial reasons, but if he or she finds another equally good job with a non-racist employer, the discrimination that was experienced prior to gaining employment would not show up through an outcome-focused indicator.

Alkire et al. (2009) explain that the EMF can be visualised as a three-dimensional matrix (see Figure 3.1) where the rows represent the three aspects of inequality, and the columns represent the 10 domains or areas of life in which people should be enabled to obtain central and valuable freedoms. The layers of the matrix then represent the different characteristics of the groups (ethnicity, disability, social class, etc). Combinations of such characteristics can also be used to identify intersectional group concerns (for example being Asian and male).

**Figure 3.1: The central and valuable freedoms matrix**

	10 domains of central and valuable freedoms
Outcomes	X X X X X X X X X X
Process	X X X X X X X X X X
Autonomy	X X X X X X X X X X

Using the EMF at this conceptual level can prompt us to think systematically about equality for whom, and equality of what. For example, when we look at inequality in employment, we need to think about:

- outcome: are people with the same skills and qualifications participating in equivalent level jobs? Is there equal pay for different people in equivalent jobs?
- process: are people treated fairly by processes for recruitment, retention and progression?
- autonomy: do people have choice and control over the way in which they participate in the workplace? Do they have choice and control over their work/life balance, can they adapt their working environment (hours or location of work) to allow them to play an active part in the labour market?

The EMF allows us to analyse employment inequality across the three aspects of inequality, looking at how this affects different groups and looking at a number of central and valuable freedoms that are important to people, such as maintaining a standard of living, or taking part in productive and valued activities.

The EMF is already being used as a conceptual tool by public authorities in Scotland as the following example illustrates.

**Example 1: NHS Lothian**

NHS Lothian has structured their Equality and Human Rights Scheme 2010/13 drawing on the three-fold definition of equality (equality of outcome, process and autonomy) and the 10 areas of life and substantive freedoms that frame the EMF. The Scheme provides the context for all the equality and diversity work to be undertaken by NHS Lothian. In drawing on the three-fold definition of equality there is an explicit intention to move away from process measures to focus more on achievement of outcomes in a way that respects choice and autonomy.

NHS Lothian uses the EMF conceptual framework in a very light touch way to ensure that it is accessible, useful and deliverable. The 10 areas of life and substantive freedoms offer a useful starting point for measuring equality. Developing a shared language within NHS Lothian offers the advantage that it will build, among staff across NHS Lothian and the public, a shared and clear understanding of equality and the way it is being measured. The outcomes-focused approach is set out clearly, and staff and the public can understand the outcomes NHS Lothian is trying to achieve.

**The EMF as an organising tool**

The EMF can also provide a framework for organising our approach to measuring inequality, through analysis of the substantive freedoms within each of the 10 areas of life. For example, the box below lists the substantive freedoms important to ensure that everyone can engage in productive and valued activities (one of the 10 areas of life identified within the EMF as important to achieving equality. The full list is provided in Appendix D).

The freedoms include, for example:

- Have a decent paid job, with support where necessary.
- Care for others, including children and parents.
- Do something useful and have the value of your work recognised even if unpaid.
- Have rest and leisure, including holidays, and respite from caring responsibilities.
- Choose a balance between paid and unpaid work, care and leisure on an equal basis with others.



- Work in just and favourable conditions, including health and safety, fair treatment during pregnancy, maternity and paternity, fair pay, reasonable hours, and freedom from harassment or discrimination.
- Not be forced to work in a particular occupation or without pay.
- Not be prevented from working in a particular occupation without good reason.

As discussed in Section 3.3, this research has highlighted significant inequality occurring in particular aspects of employment including exclusion from the labour market, unequal pay and discrimination in the workplace. While rest and leisure, and a balance between paid and unpaid work, care and leisure were not highlighted through this research, the EMF can help prompt us to consider a fuller range of substantive freedoms associated with attainment of productive and valued activities. At this level, the EMF helps identify the range of freedoms, activities and aspects of wellbeing that our society considers it is most important for people to be enabled to do.

The EMF has also developed, through extensive consultation, spotlight indicators for measuring social outcomes in each of the 10 domains or areas of life. These indicators are not intended to provide a comprehensive summary of inequality within each area of life, rather they capture the most salient aspects of inequality within the 10 domains. Returning to the employment example, the relevant indicators are:

- Employment rate.
- Earnings.
- Occupation.
- Discrimination in employment.

These indicators help identify and better understand the factors associated with employment inequality and explore how we might measure their impact on the lives of specific groups.

Once again, we have an example of a public authority in Scotland already using the EMF as an organising tool.

**Example 2: Edinburgh City Council**

Edinburgh City Council is using the areas of life and substantive freedoms within the EMF to develop and organise their Equalities Outcome and Action Plan 2009-12. Using the EMF as a starting point, the Council identified indicators to measure local equality outcomes. The Council has also used the EMF areas of life to develop a data repository for relevant local research, statistics and information. Using the EMF in this way has enabled the Council to adopt an outcomes-based approach to equality, and to begin to evidence a more local understanding of equality.

One of the benefits of this approach is that the Council has begun to think more explicitly and consistently about evidence for equality. In particular, they have started identifying potentially useful local data sources and making use of these. A positive outcome of this has been the ability to inform strategic planning in a more bespoke manner that meets specific needs. For example, while going through the process of identifying and improving local data, the Council uncovered evidence that showed an increasing number of people with learning disabilities on waiting lists for accommodation. As a result of this information, the Council included an objective to reduce waiting lists for people with learning disabilities in their Single Outcome Agreement.

Using the EMF has allowed the Council to begin to build a shared understanding of equality among staff and has provided more rigour to the Council's equality work.

**The EMF as a measurement tool**

Finally, the EMF can assist with measuring and analysing the state of equality in the 10 areas of life, for example employment, health or physical security. The EMF provides relevant measures for four to five spotlight indicators in each area of life (see Appendix A for the full list). These measures are not intended to be exhaustive. Rather, they link up with existing and developing national survey sources, which offer a suitably large sample to allow robust analysis of the issues. They can also, in many cases, allow disaggregation of data to identify trends affecting specific social groups, as well as providing a picture of the state of equality in Scotland, England and Wales.

Returning to the employment example, Table 3.1 sets out the relevant measures and data sources that can help with measuring employment inequality. As this

shows, the relevant measure for 'employment rate' is the 'percentage of working-age population in paid employment'. Figures to assess equality in relation to this measure can be derived from the Labour Force Survey, the Annual Population Survey and the Integrated Household Survey. Data for this measure can be disaggregated by the core equality characteristics, except sexual orientation and transgender. Disaggregation by ethnicity and religion or belief may be possible by pooling data from several years of time series surveys.

**Table 3.1: The indicators and measures relevant to measuring employment inequality**

<b>Significant inequality:</b> Employment – Exclusion from the labour market, unequal pay between groups, and discrimination in the workplace		
<b>EMF indicator</b>	<b>EMF measure</b>	<b>Data source</b>
Employment rate	Percentage of working-age population in paid employment	Labour Force Survey Annual Population Survey Integrated Household Survey
Earnings	Percentage earning less than 60 per cent of median hourly earnings of employees (excluding unpaid overtime)	As above
	Median hourly earnings of employees (excluding unpaid overtime)	As above
Occupation	Difference in proportions of group X and group Y (for example, men and women) in each occupation, summed across all occupations	As above
	Weighted average prevalence of work-related illness per 100,000 employed, based on occupation	Labour Force Survey Annual Population Survey Integrated Household Survey Health and Safety Executive statistics

	Weighted average prevalence of non-fatal work-related injury per 100,000 employed, based on occupation	As above
Discrimination in employment	Percentage with experience of unfair treatment, harassment or bullying at work in the last two years	Fair Treatment At Work Survey

The data sources for the EMF measures allow us to analyse the position of specific equality groups either alone or in relation to each other, where data can be disaggregated to this level (see Appendix E). For example, data on 'median hourly earnings of employees (excluding unpaid overtime)' provide information on the pay gap between women and men in Scotland. Similarly, data on the 'difference in proportions of group X and group Y in each occupation, summed across all occupations' give us information about occupational segregation between women and men in Scotland.

Despite the valuable role the EMF can play in measuring significant inequality, we need to acknowledge the challenges in using national survey data for analysing the state of equality in Scotland. The first challenge is the scope of the EMF and the availability of national social surveys to populate and measure equality in all 10 areas of life. Because some EMF areas of life (such as Individual, Family, Social Life and Identity, Expression, Self-respect) have not traditionally been the focus of equality analysis, there are significant data gaps in these areas. This is a limitation that affects data collection across Britain, not just in Scotland.

The second challenge emerges from the coverage/sample sizes within national social surveys. Samples sizes in most UK/British and Scottish social surveys are large enough to allow disaggregation of data to capture some group characteristics, for example gender and age. However, with relatively small numbers of some equality groups, disaggregation to capture all group characteristics is not possible through national social surveys as the robustness and reliability of the data cannot be confirmed when only small numbers are represented. As a result, data on ethnicity (beyond a broad 'white/non-white' classification), on non-Christian religions and on specific impairments (beyond a broad disabled/non-disabled classification) are often not available through national social surveys. As a result, we often cannot capture in Scotland a full picture of the state of equality for all equality groups. However, the Scottish Government has already taken important steps to address this issue. For example, it has developed 20 core questions on equality for inclusion in five major social surveys and it will

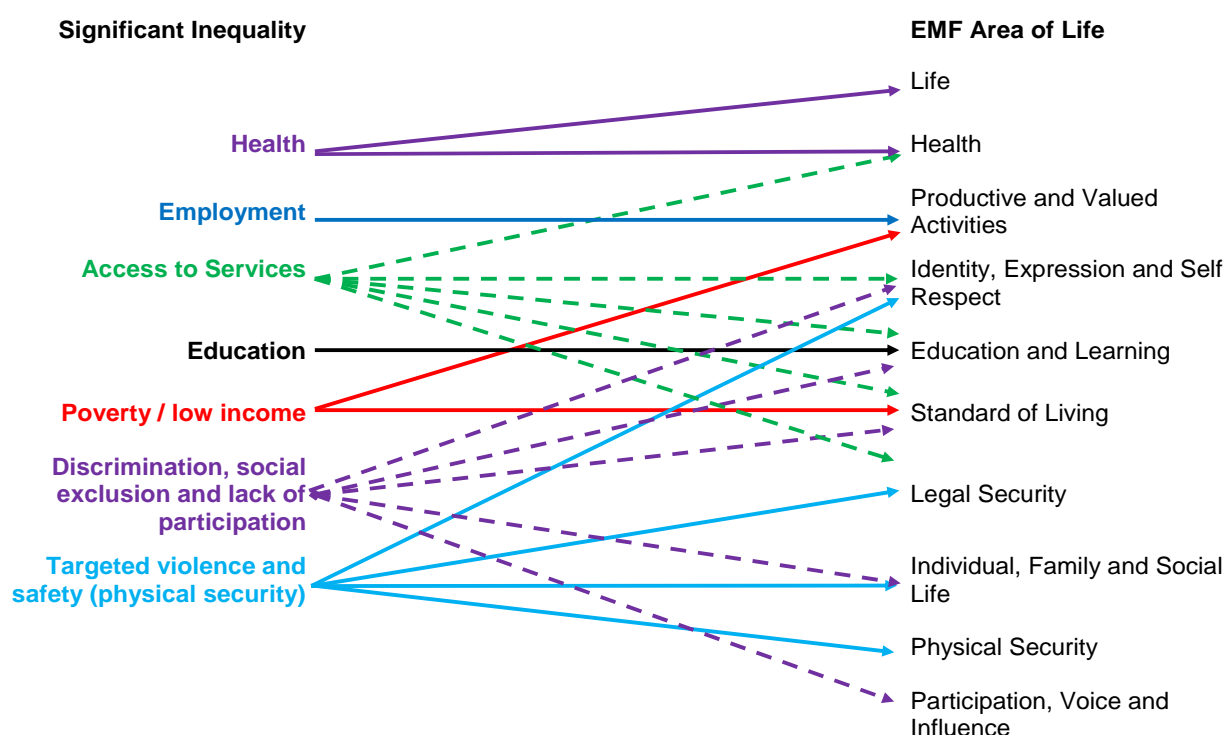
add a question on sexual orientation to the Scottish Household Survey from 2010, adding to questions asked in the Scottish Crime and Justice Survey and the Scottish Health Survey. The Commission in Scotland is working with Scottish Government and other data providers to ensure access to as much reliable data as possible to allow analysis for equality groups. One approach is to pool several years of survey data where small sample sizes mean it is not possible to analyse data from only one round of data collection.

The final challenge relates to measuring equality for groups that have not traditionally been included in national social surveys. This is a particular issue in relation to sexual orientation and transgender. For example, gathering statistical information about transgender people raises particular methodological issues (see Alkire et al., 2009 for discussion of this point). The Commission is working to address these challenges by conducting other evidence gathering exercises, such as qualitative/case study research. As mentioned above, progress has also been made on measuring equality for lesbians, gay men and bisexual people, with the Scottish Government including a question on sexual orientation in the Scottish Household Survey from 2010.

### **The EMF as a tool to analyse significant inequalities**

At all these different levels, the EMF is also a useful tool for organising significant inequalities and identifying relevant data to support our understanding of these inequalities. Appendix E illustrates how we used the EMF to organise the significant inequalities identified through this research. The following illustration shows at a glance the crossover between the significant inequalities identified through this research and the domains or areas of life within the EMF.

**Figure 3.2 Similarities between significant inequalities and EMF domains**



The tables in Appendix E provide more detailed explanation of this crossover, showing the substantive freedoms, indicators, measures and data sources that help with measuring significant inequalities.

The EMF can also support analysis of significant inequalities using the criteria identified through this research:

- **Scale:** EMF measures allow us to assess the numbers of people affected by an inequality, as well as the gaps in outcomes between different social groups.
- **Severity:** The list of central and valuable freedoms is built upon international human rights standards; this context helps with identifying those issues where inequality leads to a violation of human rights.
- **Persistence:** Drawing on national social surveys, EMF measures help build a picture of the state of equality over time, so allowing us to capture where persistent inequality occurs.
- **Cost:** The personal cost of inequality can be captured through identifying gaps in outcomes between groups. Other data sources would need to be analysed to assess the wider economic and social cost of inequality (for example lost tax revenue or health service costs of inequality).
- **Opportunity:** The conceptual basis to the EMF is that everyone should have the real freedom and substantive opportunity to live in the ways they value and

would choose. Measuring opportunities involves drawing on a range of data sources to explore people's access to a range of resources and societal recognition in order to reflect on the real opportunities available to achieve substantive freedom.

Returning to our discrimination in employment example, the Fair Treatment at Work Survey is recommended within the EMF as the appropriate tool to measure this. As the following box illustrates, this survey can only provide limited data for Scotland – focusing on problems at work, rather than discrimination, to ensure a large enough sample size for reliable and meaningful findings.

### **Survey data on employment discrimination at work**

**The Fair Treatment at Work Survey, 2008** (Fevre et al, 2009).

Seventeen per cent of respondents in Scotland taking part in the 2008 survey reported unfair treatment, harassment or bullying at work in the last two years, compared with 34 per cent in England and 44 per cent in Wales.

Data on differences in experiences of unfair treatment, harassment or bullying at work cannot be broken down by equality group in Scotland due to sample sizes. The survey does, however, offer a combined measure on 'problems at work'<sup>2</sup>. This measure offers figures on the problems experienced at work for some equality groups in Scotland (by gender, age and disability), and most equality groups across Britain (by gender, age, disability, ethnicity, religion and sexual orientation).

#### **In Scotland:**

- Almost one third (30 per cent) of respondents reported having a problem at work. These were: problems accessing employment rights during the last five years (28 per cent); as well as unfair treatment (12 per cent), bullying/harassment (five per cent) and discrimination (three per cent) during the last two years.

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<sup>2</sup> Problems included in this category are: Employment rights problems (last five years); Unfair treatment (last two years); Discrimination (last two years); Sex-based harassment (last two years); Bullying and harassment (last two years); Other problem with a severe impact on physical or psychological health/wellbeing (last five years); Other problem to do with rights at work (last five years).

- Disabled people, women, and 16 to 24 year olds were more likely to report having a problem at work relative to non-disabled people, men and people aged 25 years and older.

#### **In Britain:**

- One third of respondents reported having a problem at work. These were: problems accessing employment rights in the last five years (29 per cent), as well as unfair treatment (13 per cent), bullying / harassment (seven per cent) and discrimination (seven per cent) during the last two years.
- Just over five per cent of all reports of discrimination were on equality grounds. These ranked in order as follows: age; race; gender; and disability. Religion and sexual orientation together were the least frequently reported equality related discrimination grounds. People were more likely to attribute discrimination to things like: people's attitudes; it just being the way things are, and relationships at work. These may relate to equality grounds, but were not drawn out in the survey.
- Women, disabled people, and lesbians, gay men and bisexual people (LGB) were more likely to report bullying and harassment at work than other groups. Women represented 73 per cent of reports of bullying and harassment (by gender); disabled employees were twice as likely to report bullying and harassment as non-disabled employees; and gay men, lesbian and bisexual people were almost four times more likely to report bullying and harassment than heterosexual employees.

This analysis highlights that employment discrimination – in terms of unfair treatment, bullying and harassment – is not reported as often in Scotland as it is in England and Wales. However, the wider category of 'problems at work' is reported by approximately a third of employees both in Scotland and across Britain. It is interesting to note that equality characteristics were not reported as a significant reason for problems at work. Taken at face value, this may suggest that equality characteristics are not the principal reason for discrimination. However, when looking at who reports unfair treatment, bullying and harassment, it is women, disabled people and younger people in Scotland – and women, disabled people and LGB<sup>3</sup> employees in Britain – who commonly do so.

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<sup>3</sup> A critical reason that this group may not be showing up as most likely to report in Scotland is that the sample size of LGB people in the survey overall is very small, so disaggregation of data for this group was not possible at the Scotland level.



The Fair Treatment at Work Survey provides valuable data on the scale of employment discrimination. It can also, through analysis of trends emerging from this survey over time, provide information on the persistence of employment discrimination. However, we need to look to other sources of evidence to capture a fuller picture of significant inequality in this area. This box presents this evidence.

### **Employment discrimination - analysis of significant inequalities**

Analysis of other research evidence:

**Scale:** A UK study on ethnic minority groups and employment found that 36 per cent had experienced discrimination in the workplace (Department for Work and Pensions, 2008). Similarly, over a third (37 per cent) of disabled people believe that they have experienced prejudice or unfair treatment at work (Grewal et al, 2002).

**Severity:** Human rights are breached when harassment and bullying occur. For example, when gay men hide their sexuality to avoid discrimination (Morrison and Mackay, 2000), transgender people conceal their gender identity from colleagues for fear of repercussions (Scottish Transgender Alliance, 2008), or people who practise particular religious beliefs are exposed to discriminatory, threatening or prejudicial behaviour in the workplace (Denvir et al, 2007). These examples illustrate both marginalisation of specific employees and fear of the consequences of sharing information about an aspect of their identity.

**Persistence:** Evidence on persistence of employment discrimination may be tracked through the Fair Treatment at Work Survey if it is repeated, asking the same questions on discrimination. Meanwhile, we know that problems of exclusion, marginalisation and harassment of particular groups in employment have a long history. For example, evidence of women's marginalisation and exclusion from male dominated sectors, for example finance (Equality and Human Rights Commission, 2009) has gone on for a long time and is culturally ingrained.

**Cost:** There are high financial and social costs of employment discrimination. Ageism can result in negative attitudes about older people's decision-making abilities and competence (Smeaton and Vegeris, 2009), negative views about their ability to learn, and assumptions about higher rates of sickness absence (McNair and Flynn, 2005). This can limit the roles that older people play in the labour market and lead to their early departure, which can have social as well as financial costs (for example lost earnings for the individual, lost tax revenue for society and potential social marginalisation through economic inactivity).

In addition, experiences of discrimination in the workplace based on sexual orientation have been found to have a negative impact on claimants' mental and/or physical wellbeing, including depression and anxiety, and low levels of self-confidence and esteem (Savage, 2007). Clearly there are social costs of ill health, as well as costs to the health service and costs to employers from sickness absence from work.

**Opportunity:** Evidence of lost opportunities to play a full and equal part in the labour market emerge as an issue for ethnic minority groups, for example, through limits in access to employment and lower levels of occupational achievement and pay in employment (Department for Work and Pensions, 2008). Research on young Muslim men illustrates that employers are more likely to employ those who are not visibly Muslim over those who show signs of difference via dress or other Muslim signifiers (Hopkins, 2004). This illustrates the barriers and constraints that can limit people's opportunity to take part in productive and valued activities.

### 3.5 Summary

When we compare the significant inequalities that emerged from this research with the EMF areas of life, there is a great deal of similarity in the themes identified, and significant overlap with the EMF spotlight indicators. Our analysis also shows how the EMF can be used at different levels to conceptualise, organise and measure equality, and points to encouraging evidence of Scottish public authorities already using the EMF in these ways to drive progress in tackling inequality and promoting diversity. We conclude from this that the EMF offers a valuable tool for analysing significant inequality in Scotland that could help public authorities who want to know which areas they should focus on in order to meet their equality duties. The rich information that can be drawn from analysis of equality issues using the EMF indicators and measures could help public authorities move away from a bureaucratic, 'tick box' approach to equality, towards a stronger focus on outcomes.

However, there are important limitations to using the EMF in Scotland. Since some EMF areas of life have not traditionally been the focus of equality analysis, there are significant data gaps in these areas. In addition, small sample sizes for some groups in Scotland, including ethnic minority and non-Christian religious groups, mean it is not always possible to capture these groups in national social surveys. Similarly, we lack a reliable baseline of how many gay men, lesbians, bisexual and transgender people there are. Consequently, we lack a comprehensive evidence base on the state of equality for all equality groups in Scotland. This is important

alongside doing more sophisticated analysis, including looking at intersections between equality issues.

Success in tackling significant inequality relies on the quality of the evidence on the nature and extent of inequality in Scotland and identifying where the most significant impact can be made on outcomes. The government has already taken important steps to improve the evidence base, which is very welcome. But we also need a clearer shared understanding of how to interpret and use available data to pinpoint the most serious instances of disadvantage and inequality in society, helping the Commission and public authorities target resources where they are most needed. This research aims to help build that understanding by providing criteria for identifying significant inequalities, describing how the EMF can be used to analyse and measure them, and outlining a process for identifying which inequalities need to be tackled as a matter of priority. It is to the prioritisation process that we turn in the next chapter.

## 4. Developing a prioritisation process

This chapter develops a process to help identify priorities for the Commission and public authorities to take action on. Moving from a list of significant inequalities to a small number of priorities for action required a number of activities. The first was to identify the criteria for deciding priorities. The second involved a workshop with key stakeholders to work through the prioritising process. Finally, from the broad areas identified in the workshop, two issues were selected for further analysis. This analysis offered an opportunity to explore the action that might be taken if these issues were prioritised by the Commission.

### 4.1 Identifying criteria for deciding priorities – evidence from Phases 1 and 2

As noted in Chapter 2, when presented with the original list of nine criteria of significance at the end of Phase 1, the Research Advisory Group pointed out that two of these criteria were ways of prioritising rather than criteria of significance.

These were:

- The potential for action to result in positive change.
- Inequality issues specific to Scotland.

#### **The potential for action to result in positive change**

In Phase 1 there were interviewees who felt that inequality that is remediable should be a central priority for taking action. Consideration should be given to where taking action is likely to bring positive change. Taking this approach was thought to be important to help guide strategic and efficient decision-making, and setting priorities.

‘We need to think about what interventions we can make, and what difference that would make – i.e. we should prioritise things we can change.’ (External stakeholder)

‘There is no point at all in highlighting a load of inequalities as significant to be addressed, if they are essentially non-remediable and would be a waste of resources. We need to spend time and money on things we can make a difference to.’ (Internal stakeholder)

Commission interviewees noted that the potential reach of the Commission was important when looking to identify inequality issues that we should focus on, in other words how many people would be positively affected by a Commission initiative aimed at reducing a specific inequality. It was, therefore, important to be able to assess whether taking specific action would reduce or eradicate inequality; so highlighting the need for robust data that can evidence impact from action taken.

Discussion on this topic with delegates at the deliberative events in Phase 2 confirmed the value of this criterion, but with important qualifications. Delegates agreed that it is extremely challenging to tackle deep-rooted causes of inequality (as opposed to symptoms). They also noted that the focus on prioritising where there is potential for action to result in positive change should not be about choosing the easy things to do.

It is important that this approach involves engaging with currently available opportunities, as well as creating new opportunities to take action. A balance is required to ensure that action is taken where there are current opportunities to advance particular agendas, while not losing sight of the potential for identifying and taking action on issues not being prioritised by others, but where taking action would result in positive change.

Applying this criterion, delegates identified several opportunities for action:

- **Using the Scottish Government National Performance Framework to relate inequality directly and explicitly to Scottish Ministers' portfolios.** The equality dimension of every National Outcome should be clearly identified. This highlights that equality cross-cuts everything. Tackling inequality contributes towards the achievement of a range of National Outcomes, not just National Outcome 7. This strategic framing of equality has potential to generate real policy interest and political attention, ensuring that responsibility for tackling significant inequality is everyone's business. This activity should be backed up by monitoring activities to ensure that achieving equality is an integral part of the National Performance Framework.
- **Strategic and effective use of equality legislation.** The introduction of the Single Equality Duty offers a powerful lever to educate and support public authorities to embrace the positive spirit of promoting equality. Careful monitoring is required to ensure that equality is genuinely embedded in everything that public authorities do. The Single Equality Duty can be used as a lever to bring about positive change beyond the public sector. For example,

public sector procurement practices that embed equality can be applied to the private and third sector when they provide public services.

- **A more strategic approach to partnership working.** There is evidence of good partnership working taking place among many organisations and agencies in Scotland, but there is always room for improvement. Tackling entrenched inequality requires a range of partners to work together effectively. Organisations and agencies could draw on the criteria of significance and the list of significant inequalities developed through this research to:
  - Explore links between equality and other policy agendas.
  - Identify and bring together a range of partners to tackle significant inequalities.
  - Identify when and how actions to tackle significant inequalities can be linked up with Community Planning Partnership outcomes.
- **Meaningful community involvement:** Involving a range of relevant groups and individuals in the identification of priorities can ensure that priorities and actions have wider relevance. Timely and accessible information should be made available to support community involvement in prioritising and the action that is taken. This can help to ensure that action meets the varied needs of different groups and individuals as well as going some way to address gaps between policy development and policy implementation.

### **Inequality issues specific to Scotland**

The second issue that emerged during the Phase 1 interviews was tackling inequality that is particularly problematic within Scotland. This was viewed as important given that the Commission in Scotland, and the Scottish Government, have a role in promoting equality in Scotland. Some concerns about this issue were raised by delegates at the deliberative events in Phase 2, questioning whether there are inequalities that are specific and unique to Scotland. While delegates recognised that inequality can have different prevalence rates in Scotland, relative to other parts of Britain, and can have different manifestations, there was a question as to whether the fundamental drivers of inequality are different in Scotland than in other parts of Britain.

Given that extensive areas of policy are devolved to the Scottish Parliament and Scottish Ministers, including delivery of statistics and research, there are a wide range of policy levers available at the Scotland level that can be used to address inequality in Scottish society. The Commission's presence in Scotland further highlights the important role it performs in working with a wide range of Scottish stakeholders, such as Scottish Parliament, Scottish Government, local authorities and third sector organisations, to place equality, human rights and good relations

at the heart of policy decision-making and the achievement of positive social outcomes in Scotland.

This concern with the impact of inequality in Scotland, and with using available policy levers and organisational structures to tackle this, provides important context for the development of the list of criteria for prioritising. Given the importance of the Scottish context for all decision-making by the Commission in Scotland, it was decided that Scotland-specific inequality should be a cross-cutting issue rather than a specific criterion for selecting priorities. For example, when exploring the potential for action to result in positive change, a Scotland-specific focus means paying attention to available opportunities in Scotland, including working with Scottish partners, drawing on policy levers in Scotland and using the Commission's presence and stakeholder relationships to achieve impact.

#### **4.2 Identifying criteria for deciding priorities – the final list**

The first two phases of the research identified one criterion for prioritising – the potential for action to result in positive change. Discussions between the Commission and OPM led to two further criteria being identified. The first focuses on the range of powers available to the Commission. The second draws on the principles for modern regulators, provided by the Better Regulation Executive (BRE). The three criteria for deciding priorities for action are presented in the following box.

1. Is there a real opportunity to take action that would bring about positive change?
2. Is there potential for the Commission to use the range of its powers to achieve change?
3. Does involvement support the Commission's role as a modern regulator?

**1) Is there a real opportunity to take action that would bring about positive change?** This criterion was identified in Phase 1 and agreed as important during deliberations in Phase 2. The central reasons for drawing on this criterion are that it can help to:

- Focus on the causes of inequality rather than the symptoms.
- Create opportunities for change, as well as seizing available opportunities.

- Recognise that taking action may mean the Commission instructing, encouraging and supporting others to take action.
- Provide opportunities to form or reformulate partnerships to ensure that an agreed action is driven forward by the right people and signed up to/supported by other relevant organisations and individuals.

**2) Is there potential for the Commission to use the range of its powers to achieve change?** The Commission does not wish to duplicate the efforts of other organisations. Rather the aim is to achieve real added value in tackling significant inequality. One route to identifying priorities for action is to identify issues where the Commission is uniquely placed to play a role in achieving positive change. The Equality Act 2006 sets out the Commission's general and enforcement powers. These powers offer the Commission a number of tools to create or exploit opportunities to tackle significant inequality in Scotland, and can add real value through complementing the activities of other organisations or agencies.

**3) Does involvement support the Commission's role as a modern regulator?** The BRE has stated that the Commission needs to shift from a complaints and demand-led model to a systematic evidence and risk-based model of working. To be effective, the Commission should adopt an evidence-based approach in determining where the most significant inequalities lie, and what the Commission's role is in tackling these, alone or in partnership with others.

This means that evidence to track the most significant inequalities, and measures to address these, should meet BRE principles of good practice for modern regulators. These principles are: transparency; accountability; proportionality; consistency, and the better targeting of interventions in the most effective way to achieve change. The Commission needs to ensure that it does the following:

- ensure the priorities selected are based on evidence, that is that we know these issues are significant inequalities
- that the chosen approach, selection of topics for attention and reasons for these choices are made transparent and clear to all interested parties
- that the chosen approach, selection of priorities, and reasons for these choices, are open to scrutiny and discussion with relevant stakeholders to ensure their engagement and agreement with the priorities selected
- that approaches to achieving change, and the relevant parties involved in this, represent a proportionate response to the issue, and



- that action taken, including using the range of powers available to the Commission, is done in a consistent way across different interventions.

These principles are likely to become even more important in the coming years with the UK coalition government having indicated that the burden of regulation should be reduced without sacrificing standards, quality and safety.

#### **4.3 Starting the prioritisation process – an exercise**

Dialogue and engagement have been central components of this research. These activities offer important opportunities to engage a wide range of stakeholders and gather a range of views on the processes carried forward through this research.

Offering stakeholders the opportunity to discuss and work with the three prioritisation criteria was important to test their value in helping the Commission identify priorities for action. A one-off workshop bringing together the Commission's Senior Managers and Scotland Committee, as well as members of the Research Advisory Group was conducted to test and refine the prioritising process developed. It is important to note that this exercise was intended to illustrate the process in practice, rather than identify specific priorities.

The deliberation at this workshop highlighted three critical issues, all of which meet the prioritisation criteria. The three themes were: employment, health and social care, and violence.

**Employment:** With the economy having recently emerged from a recession, and potentially double-dipping back into another, what are the implications for employment and workplaces? Could structural changes manifest themselves unevenly across the different countries of Britain, and across Scotland? Which groups may be more at risk as a result of these transformations? Robust evidence on the labour market position of equality groups, as well as monitoring changes over time, will ensure that the Commission plays an effective role as a modern regulator.

How could the public sector duties be used to monitor employment trends within the public sector, enforce compliance, and encourage good practice beyond the public sector? How are changes to central and local government relationships in Scotland affecting employment? How will changing relationships between the public, private and third sector manifest themselves in terms of equality impact on various groups? How can equality impact assessments help in minimising any adverse consequences of such wider transformations? Using the range of

powers available to the Commission can affect positive change by ensuring a continued focus on equality and by scrutinising the practices of public authorities and the practice of private and third-sector organisations contracted to deliver public services.

**Health and social care:** There are significant inequalities in access to healthcare, and regarding dignity and respect in health and social care in Scotland. While these issues are not new, cuts to public sector spending pose new challenges. With dwindling resources, how do public service providers decide who gets treatment? Does the actual and/or perceived identity of service users affect decisions about who gets specific treatment (for example, access to gender reassignment surgery and related treatments, fertility treatment, etc)? Can access and treatment be affected by implicit and unexamined prejudices by professionals? How does the current shift to personalisation of services in health and social care affect risk, choice and quality for different groups? Having a range of evidence to inform understanding of these issues is critical to the Commission's role as a modern regulator.

The Equality Act 2010 will, for the first time, provide protection to transgender people and will introduce legislative protection based on age. How might the Equality Act 2010 ensure equality of access to health and equality of treatment within health and social care services? This new legislation provides the Commission with useful legislative tools through which to use the range of its powers, including codes of practice, good practice guidance, investigations or inquiries.

**Violence:** The Commission has a well-developed programme of work on targeted violence. There is also a growing evidence base on the causes and consequences of targeted violence and hostility. There, however, remain specific opportunities to identify partners who can play a key role in tackling hate crime, including taking forward programmes on rehabilitation of offenders. There are opportunities for the Commission to use the range of its powers, for example developing good practice guidance on rehabilitation of offenders with the intention that this would reduce reoffending, so achieving positive change.

As an exercise to select priorities, workshop attendees reported that it was helpful in clarifying the reasons for focusing on specific issues, as well as identifying what role the Commission could play in addressing particular issues.

#### **4.4 Taking action to tackle significant inequalities – two illustrations**

Having identified a process for prioritising, the next and final step was to select issues for further analysis. This analysis offers an opportunity to better understand the issue and identify possible approaches to addressing it.

In discussions with the Commission, the two issues selected for detailed analysis were elder abuse and personalisation of social care. These were selected on the basis that:

- a) they were identified within this research as significant inequalities
- b) opportunities currently exist to either drive or support action to achieve positive change
- c) the Commission is not currently driving a programme of activities in these areas, or
- d) the Commission is able to use the range of its powers to add value to the agenda.

In taking forward analysis of these two issues, the concern was to reflect on how the Commission could achieve positive change. Four questions framed this analysis:

- What is the problem?
- Which groups should be the focus of concern?
- Which partners should be involved in tackling the problem?
- What action needs to be taken to tackle the problem?

##### **Elder abuse**

Elder abuse is defined as ‘a single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person’ (Care Information Scotland, 2010). Elder abuse suggests a breach of one of the central and valuable freedoms set out in the EMF: the right to be free from cruel, inhuman or degrading treatment.

The Equality Act 2010 will introduce new age regulations, originally to be implemented in October 2012. These regulations require public authorities to ensure equality in the provision of goods, facilities, services and public functions. Playing an active role in developing the content and focus of these provisions offers the Commission an ideal opportunity to foreground critical issues about elder

abuse as well as promoting an agenda of dignity and respect within health and social care services to older people.

### *1. What is the problem?*

In Phase 1 of this research, elder abuse was identified as a significant inequality in Scotland; one that has to date been overlooked by much mainstream policy and legislation. Age Concern Scotland has highlighted a reluctance by society to acknowledge that older people are abused and that they are unable to protect themselves from that abuse. Particularly vulnerable are older people with mental health conditions. They argue that older victims are often too afraid to seek help, do not know how to access help, and can also feel disempowered, sometimes seeing abuse or neglect as an inevitable consequence of growing older.

**Scale:** At the moment there are no national level surveys that provide figures on elder abuse. One study on mistreatment of older people found that 2.2 per cent of people aged 66 and over who live in private households in Britain have experienced mistreatment in the previous year. This is equivalent to about one in 40 older people in Britain. Mistreatment included neglect, financial abuse, psychological abuse, physical and sexual abuse (O’Keefe et al., 2007).

The Care Commission in Scotland received 275 complaints of abuse and neglect against care homes in the financial year 2008/09. A further 156 calls are reported to the Scottish Helpline for Older People each year (these figures are not included in the Care Commission statistics). The concerns about the scale of the problem are that as people live longer, more instances of abuse of older people will occur (Adams, 2009). Further, as elder abuse is likely to be most profound among the frail elderly, a significant proportion of whom will be living in institutional settings, the real scale of the problem is not currently being captured (Bennett et al., 2000).

**Severity:** Given the limits to available evidence, a true picture of the impact of elder abuse is not yet available. However, a study by O’Keefe et al. (2007) did find that 75 per cent of those who reported mistreatment stated that the effect was either serious or very serious. Mistreatment had a particular effect on people’s self-image and psychological wellbeing.

**Persistence:** The concern noted above about the likely under-reporting of elder abuse and the potential rise in abuse as more people live into older age does suggest that this is a problem that is both persistent and currently under-reported. The study by O’Keefe et al. (2007) further suggests that the psychological effects

of mistreatment have a persistent impact over time, whether the person reported mistreatment as a single or repeated occurrence.

### *2. Which groups should be the focus of concern?*

There are a number of groups that require support and intervention when elder abuse is taking place, or at risk of occurring. These include:

- **Older women** are likely to be a risk group (Age Concern Scotland, 2007), given the demographic shift towards an ageing population, and a continuing trend of women living longer than men.
- **Older disabled people** have a higher incidence of elder abuse (Sin et al., 2009) so require particular attention when looking to tackle elder abuse.
- **Ethnic minority older people** have been overlooked in emerging debates on elder abuse. This is likely to be a hidden problem due to higher levels of family caring among some ethnic minority groups. The problem can be exacerbated by difficulties within families, pressure on carers and the position of older people in society (Bowes et al., 2008).
- **Residents in social or private rented housing** suffer a higher incidence of elder abuse (O'Keefe et al., 2007), highlighting relationships between socio-economic inequality and risk of abuse in older age.
- **Carers** who are either suffering from depression, showing a lack of resilience, caring for someone with dementia or where there is an element of social isolation from others are more likely to abuse those they care for. This makes providing support for these groups a key priority (Helpguide, 2010).
- **Nursing and social care staff** who lack sufficient training, have too many responsibilities or who are working in poor conditions are also identified as in particular need of attention to reduce the incidence of elder abuse (Helpguide, 2010).

### *3. Which partners should be involved in tackling the problem?*

The following partners play a critical role in tackling elder abuse:

- **Action on Elder Abuse:** A third-sector organisation with a UK-wide remit to protect vulnerable older adults and prevent them from being abused.
- **The Scottish Commission for the Regulation of Care (Scottish Care Commission):** This organisation has responsibility for the regulation and inspection of all care services in Scotland (those that are required to register under the Regulation of Care (Scotland) Act 2001). Its work is underpinned

by three principles: keeping people safe, promoting dignity and choice, and supporting independence.

- **Care homes and domiciliary care:** Providing direct care services to older people either in institutional or home settings. These providers play a critical role in service delivery so it's important to work with them to tackle elder abuse through training, awareness-raising and support.
- **Age Scotland and other third-sector agencies:** Specialising in supporting or giving advice or advocacy to older people often operate at the grassroots level and have good knowledge of older people's circumstances and needs.
- **Public authorities:** A range of public authorities, including those who deliver or support the delivery of health and social care services, play an important role in the lives of older people in need of care through service commissioning, delivery, regulation and inspection. Public authorities include: Scottish Social Services Council, Scottish Government Health Department and Scottish Health Boards.

#### *4. What action needs to be taken to tackle the problem?*

- The introduction of new age regulations in 2012, through the implementation of the Equality Act 2010, will focus on promoting equality in the provision of goods, services and public functions. This offers a critical opportunity for the Commission and key partners concerned with elder abuse in Scotland to ensure that the provisions of the new regulation are effective in tackling elder abuse. In particular, the provisions could be framed to ensure that health and social care providers in Scotland, who are bound by this regulation, are committed to tackling this issue.
- The Scottish Care Commission has a regulatory role in relation to monitoring and auditing a range of care providers in Scotland. The Commission could play an important role in highlighting to the Scottish Care Commission the need to promote an agenda of dignity and respect in delivery of care. In particular, raising the profile of the equality dimensions to care and how risk of elder abuse may have an equality hue that needs specific attention to ensure that care providers are complying with current equality legislation. Providing good practice guidance offers one specific measure that the Commission could take to ensure that standards of care are of the highest quality and that employees are fully trained to meet the diverse needs of those who they care for so as to reduce the risk of elder abuse occurring.
- The Commission should work with public authorities with responsibility for regulation/inspection of services to older people both to promote good practice but also to ensure that measures are in place to tackle elder abuse when it is

identified/reported. This might involve the Commission providing guidance and codes of practice to ensure that regulation/inspection includes an equality dimension.

- At present there are significant gaps in the evidence base on elder abuse in Scotland. As well as a dearth of information on the experiences and scale of elder abuse in Scotland, and how this may be exacerbated by lack of recognition of equality issues (for example, different needs of ethnic minority or lesbian older people), there is also a need to explore elder abuse through the lens of the significance criteria. In particular, a study to explore the economic and social costs of elder abuse would give critical information on the impact of elder abuse on victims, perpetrators and wider society (for example, assessing the costs of services and support to tackle elder abuse and its effects).

### **Personalisation in social care**

Personalisation in social care is a policy agenda still in its early stages; with the new UK government committed to continuing and extending this agenda. Debate continues on how far services should be personalised, but many see personalisation as positive for both service providers and service users. For service users, the key gains come from greater control over delivery of care and greater choice in services, with the personalisation agenda viewing people as experts in their own lives and best placed to make choices for themselves. A large part of this agenda focuses on direct payments and individual budgets, giving service users control of their budget and enabling them to purchase services from their choice of provider (Bennett, 2010).

While generally viewed positively, self-directed services and individual budgets also have the potential to exacerbate inequality (Haque, 2010), with some equality groups potentially finding this agenda challenging or difficult to engage with.

Personalisation of social care is a policy agenda at relatively early stages in Scotland (ENABLE Scotland, 2009). The recent Scottish Government consultation on its strategy for self-directed support states a commitment to making self-directed support the mainstream mechanism for the delivery of social care in Scotland (Scottish Government, 2009). The Independent Living in Scotland (ILiS) project (which aims to support the involvement of disabled people in shaping the Scottish Government's approach to independent living) and the proposed Self-Directed Support (Scotland) Bill are critical developments. The Commission could play a key role in offering strategic-level scrutiny and influence to ensure that recognition is given to the intersections between disability, aging, gender, sexual orientation,

ethnicity, religion or belief, and gender identity when supporting the development of personalisation of care in Scotland as it rolls out in coming years.

### *1. What is the problem?*

As noted above, personalisation of social care is still in relatively early stages in Scotland, with far fewer people using direct payment for social care than in England (Dunning, 2010). There is a paucity (and in some cases, complete absence) of evidence on the equality implications of this policy agenda. Analysis in this discussion is drawn largely from English research, although the findings are likely to be of similar relevance to Scotland. The focus of this analysis is those groups who are not likely not to get equal access to this policy measure or who are not being provided with adequate support to make best use of it.

**Scale:** Direct payments are one route through which to progress personalisation of care services. Variance in use of direct payments is affected by where people live and by impairment, with older people and those with learning disabilities less likely to gain access to this service than people with mobility impairments (Riddell et al., 2006). Given public spending cuts, increasingly scarce resources may favour people who are better able to navigate the care system to access these resources (OPM, 2010). With the rolling out of personalisation of social care in Scotland, there is a risk that any inequality in access to these resources will be exacerbated if not addressed. Who is able to access and use individual budgets may vary by age, ethnicity, disability and locality (as different local authorities develop their own practices and priorities). Access to these resources and the opportunity to make choices about care services may not be equally available to all equality groups.

**Cost:** Some service users may underestimate their care and support needs in self-assessments out of fear that the true costs would not be met (OPM, 2010) or through lacking a true picture of the range of services that they might need. There is also a risk of financial exploitation, with some groups of disabled and older people at particular risk (IBSEN, 2008). The gains from improved choice and control through individualised budgets may not be equally shared and may result in increasing anxiety among those who are not adequately equipped to manage their care package. There may also be personal cost to service users if they cannot access the services they need to live independently, for example through lack of local or affordable providers or lack of opportunities to take part in society that may be accessed through an individualised budget.

**Opportunities:** A perception that some groups will lack the competence or skills to manage or direct care services is a key barrier to realising the personalisation



agenda. Service users with poorer communication skills are less likely to be considered capable of making decisions about their care by social care professionals (SCOPE, 2009). Frontline social care professionals may be making judgments about who should be offered what type of service, using informal assessments of risk based on need, vulnerability and capability of service users. Full opportunities to make choices and take control of care needs, with adequate support in place to facilitate this, may therefore be limited for those who are not deemed able to manage.

### *2. Which groups should be the focus of concern?*

There are a number of groups who may require support to ensure access to and positive use of individualised budgets or self-directed support:

- **Older people:** Some older people have fluctuating health needs and approach services at times of crisis when they feel vulnerable. This makes it difficult and stressful for the service user to try and plan their service needs. Older people are particularly likely to underestimate their needs due to low expectations and wanting to downplay their impairments (IBSEN, 2008).
- **Mental health service users:** Resistance and aversion to risk from social care staff towards mental health service users (Sin et al., 2008) and difficulties with the more proactive focus of the personalisation agenda for people with depression and anxiety disorders make mental health service users particularly vulnerable in this policy context.
- **Ethnic minority service users:** There is mixed evidence on how ethnic minority service users are being served by personalised care services in England (SCIE, 2007). Problems occur where people's first language is not English and difficulties can also occur in accessing culturally sensitive services.
- **People living in rural areas:** While personal budgets could lead to greater choice and autonomy, this development may also lead to currently available services being withdrawn. Older and disabled people living in rural areas may have particular difficulties accessing a suitable range of services when planning their personalised care package (Commission for Rural Community, 2010).

### *3. Which partners should be involved in tackling the problem?*

The following could play a role in ensuring that the personalisation agenda is open to all who require it:

- **Care coordinators:** They play a key role in developing the support and planning process to help service users to identify and prioritise important, realistic and safe care services.
- **Stakeholders involved in care planning:** Including occupational therapists, social workers, home care workers and private organisations who are involved in brokerage and supporting employment in a personalised system of social care delivery.
- **Local authority care managers:** These have been identified as significant contributors where service users have accessed personal budgets.
- **Independent and voluntary sector providers:** Not previously extensively involved in care services, but they are likely to move into this mixed economy of personalised care services and deliver services to a range of different service users.
- **Third-sector/user-led organisations:** A number of organisations with experience of providing personalised support at grassroots level, including user-led organisations who may be well placed to offer targeted support and brokerage to specific equality groups.
- **Technology providers:** These can develop and provide case management systems and information to service users in order to assist in managing individualised budgets.

#### *4. What action needs to be taken to tackle the problem?*

With Scottish Government playing a central role in driving forward Independent Living in Scotland, and the Commission currently hosting the Independent Living in Scotland project, the Commission could perform a critical role in ensuring that this agenda recognises the intersections between equality issues that affect those who require access to adult social care provision. The Commission would therefore be offering a leadership and co-ordination role working with critical partners to steer this agenda.

The Commission could use its monitoring powers to ensure that services providers are working with specific service users to assist them in making their own decisions around personalisation. Similarly the Commission could produce good practice guidance to ensure that personalisation of social care takes full account of the needs and support requirements of equality groups.

As a modern regulator, the Commission should ensure that it complies with the requirements set out by the BRE, including gathering up-to-date evidence on the use of, and barriers to, accessing personalisation of care for equality groups.

This information will provide a picture of the progress made by equality groups in accessing personalised care or individualised budgets.

Given the early stage of this agenda, there are gaps in the information that is currently available on personalisation in Scotland. A research study to better understand the equality impact of personalisation would offer one important way of ensuring that equality issues are being addressed through the personalisation agenda as it rolls out in Scotland.

A study to explore the needs and aspirations of equality groups in relation to using personalised care services and/or individualised budgets would offer an opportunity to explore what the support needs are of specific equality groups when engaging with the personalisation agenda. This information could be used not only to gather a fuller picture of how care needs could best be met through the personalisation agenda, but also better understand the barriers and necessary support mechanisms to allow access to personalised services.

### **4.5 Summary**

In working through a process for identifying priorities for action and providing brief analysis of the possible approaches to tackling these issues, this chapter has set out an approach to prioritisation that can be used by the Commission or adapted to meet the needs of a range of public authorities. It is a process that involves working collaboratively as well as drawing on a range of available evidence to make informed decisions about what issues to prioritise. Investing time in identifying priorities, and approaches to tackling them, can help ensure clarity and transparency of decision-making. In a climate where value for money and making best use of available resources is high on the agenda of all public authorities, ensuring a coherent, accessible and transparent process for prioritisation can help with targeting resources where they are most needed.

## 5. Conclusion

Several important issues have been raised within this research with the aim of: increasing our understanding of significant inequality in Scotland, developing an approach to prioritisation, and highlighting the importance of improving the evidence base to inform equality decision-making. High-quality, robust evidence can inform deliberations about the issues to prioritise and the approach to be taken to tackle significant inequality. In a climate where value for money and making best use of available resources is high on the agenda of all public authorities, ensuring a coherent, accessible and transparent process for prioritisation can help with targeting resources where they are most needed.

More generally, this research has enabled a proper debate about the most significant inequalities in Scotland. The Scottish Government acknowledges that success in tackling the significant inequalities in Scottish society relies on: the quality of the data on the nature and extent of inequalities in Scotland; and identifying where the most significant impact can be made on outcomes. But we also need a clearer shared understanding of how to interpret and use these data to pinpoint the most serious instances of disadvantage and inequality in society, helping the Commission and public authorities target resources where they are most needed.

This research helps build that understanding. It provides criteria for identifying significant inequality, describes how the Equality Measurement Framework (EMF) can be used to analyse and measure significant inequality and outlines a process for identifying priorities for action. We hope that the approach taken will provide lessons, particularly for public authorities, who will want to ensure they make transparent and proportionate decisions about equality priorities, using the best available evidence to inform those decisions. This is all the more important given the current economic and political climate in Britain, with the worst recession for decades hitting the UK in 2008. This was quickly followed by the election of a new UK government in 2010 who immediately announced plans for substantial reductions in public spending and changes to the way public services are to be delivered in coming years. Now, more than ever, public authorities need to both gather and make use of robust, high-quality evidence and analysis in order to ensure that their activities are directed at tackling significant inequality.

**Appendix A: EMF indicators and measures**

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>LIFE</b>		
A. Avoid premature mortality through disease, neglect, injury or suicide	1. Life expectancy	1.1 Period life expectancy at birth, and ages 20, 50 and 80
B. Be protected from being killed or murdered	2. Homicide	2.1 Homicide rate 2.2 Domestic homicide rate (with separate reporting of relationship of victim to principal suspect, including partner homicide)
A. B.	3. Other specific-cause mortality rates	3.1 Cardiovascular disease mortality rate (age-standardised) 3.2 Cancer mortality rate (age-standardised) 3.3 Suicide rate 3.4 Accident mortality rate
A. B.	4. Death rates from non-natural causes for people resident or detained in public or private institutions	4.1 Deaths from non-natural causes during or following police custody 4.2 Self-inflicted deaths in prisons 4.3 Deaths from non-natural causes for people resident or detained in health or social care establishments (under development)

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>HEALTH</b>		
A. Attain the highest possible standard of physical and mental health, including sexual and reproductive health	1. Limiting illness, disability and mental health	1.1 Proportion who report a long-standing health problem or disability that substantially limits their ability to carry out normal day-to-day activities 1.2 Proportion who report poor mental health and wellbeing
A.	2. Subjective evaluation of current health status	2.1 Proportion who report poor current health status
B. Access to timely and impartial information about healthcare options, including contraception C. Access to healthcare without discrimination and in a culturally sensitive way D. Be treated medically, or subject to experiment, only with informed consent E. Be assured of patient confidentiality and be free from stigmatisation	3. Dignity and respect in health treatment	3.1 Proportion with low perceptions of treatment with dignity and respect in healthcare 3.2 Proportion reporting lack of support for individual nutritional needs during hospital stays
F. Maintain a healthy lifestyle including exercise, sleep and nutrition	4. Healthy living	4.1 Proportion who are living a healthy lifestyle, covering (a) smoking, (b) alcohol, (c) physical activity, (d) consumption of fruit and vegetables, and (e) body mass

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		4.2 Proportion who are living in an area with less favourable environmental conditions
G. Live in a health and safe environment including clean air, clean water, and freedom from pollution and other hazards	5. Vulnerability to accidents	5.1 Accident & Emergency accident and injury rate, by location

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>PHYSICAL SECURITY</b>		
A. Be free from violence including sexual and domestic violence and violence based on who you are	1. Proportion that are victims of violent crime	1.1 Proportion that are victims of violent crime (all types) 1.2 Proportion that are victims of violent crime involving knives, sharp stabbing instruments and guns 1.3 Proportion that are victims of sexual violence (with separate reporting of rape and assault by penetration, and other sexual violence) 1.4 Proportion that are victims of domestic violence (with reporting of relationship of victim to principal suspect, including partner violence)
A. B. Be free from cruel, inhuman or degrading treatment or punishment	2. Proportion that are victims of hate crime	2.1 Prevalence of hate crime (race) 2.2 Prevalence of hate crime (religion) 2.3 Prevalence of hate crime (age) 2.4 Prevalence of hate crime (gender) 2.5 Prevalence of hate crime (disability) 2.6 Prevalence of hate crime (sexual orientation) 2.7 Prevalence of hate crime (transgender)
A.	3. Physical security for people	3.1 Elder abuse and other abuse for the non-



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C. Be protected from physical or sexual abuse (especially by those in positions of authority)	resident or detained in institutions	private household population ( <i>under development</i> )
D. Go out and to use public spaces safely and securely without fear	4. Fear of crime	<p>4.1 Proportion that feel very unsafe or unsafe being alone at home and in local area (during the day and after dark)</p> <p>4.2 Proportion that feel very worried or worried about physical attack, intimidation or acquisitive crime</p>

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>LEGAL SECURITY</b>		
<p>A. Knowing you will be treated with equality and non-discrimination before the law</p> <p>B. Being secure that the law will protect you from intolerant behaviour and from reprisals if you make a complaint</p>	1. Offences reported and brought to justice: rape, domestic violence and hate crime	<p>1.1 The number of cases of rape estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted</p> <p>1.2 The number of cases of domestic violence estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted</p> <p>1.3 The number of cases of hate crime estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted</p>
<p>A.</p> <p>C. Being free from arbitrary arrest and detention</p> <p>D. Having fair conditions of detention</p>	2. Equal treatment by the police and criminal justice system (objective and subjective measures)	<p>2.1 Proportion (a) stopped on foot or vehicles (b) stopped and searched</p> <p>2.2. Proportion who are confident that the criminal justice system (police, CPS, courts,</p>

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E. Having the right to a fair trial G. Having freedom of movement		<p>prison and probation service) (a) meets the needs of victims, (b) respects the rights of those accused of an offence and treats them fairly</p> <p>2.3 Proportion who have lodged an official complaint against the police in past 12 months who are fairly or very satisfied with the handling of the complaint</p>
A, C, D, E.	3. Deprivation of liberty: numbers and conditions	<p>3.1 Proportion of the population in prisons in England, Wales and Scotland</p> <p>3.2 Perceptions of treatment with dignity and respect in prisons</p>
F. Access to affordable and high-quality information and advocacy as necessary	4. Equal protection and support for individuals with justiciable civil justice problems	<p>4.1 Proportion who said they had justiciable civil justice problems but who gave up or did nothing as opposed to other outcomes</p> <p>4.2 Proportion with justiciable civil justice problems that obtained advice</p>
I. Owning property and financial products including insurance, social security, and pensions in your own right	[not specifically covered]	
H. Having the right to name, gender and nationality	[not specifically covered]	
J. Knowing your privacy will be respected	[not specifically covered]	

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>EDUCATION AND LEARNING</b>		
C. Develop the skills for participation in productive and valued activities, including parenting D. Learn about a range of cultures and beliefs and acquire the skills to participate in a diverse society, including learning English	1. Basic skills	1.1 Proportion of people of working age achieving functional literacy and numeracy skills 1.2 Proportion who can speak, read and write English or Welsh very or fairly well
A. Attain the highest possible standard of knowledge, understanding and reasoning C.	2. Educational qualifications	2.1 Proportion of each age group with no educational qualifications 2.2 Proportion of each age group with degree level qualification
E. Access education, training and lifelong learning that meets individual needs B. Be fulfilled and stimulated intellectually, including being creative if you so wish	3. Participation in lifelong learning	3.1 Proportion who have participated in formal or informal learning in last 12 months
F. Access information and technology necessary to participate in society C.	4. Use of the internet	4.1 Proportion who have used the internet for any purpose within the last three months
A, E.	5. Being treated with respect in education	5.1 Proportion of those attending who say they are treated with respect at school or college

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>STANDARD OF LIVING</b>		
<p>A. Enjoy an adequate and secure standard of living, including nutrition, clothing, housing, warmth, social security, social services and utilities, and be cared for and supported when necessary</p> <p>C. Live with independence, dignity and self-respect</p> <p>F. Enjoy your home in peace and security</p>	1. Housing quality and security	<p>1.1-1.3 Proportion of individuals living in sub-standard, overcrowded or unadapted accommodation (England, Scotland, Wales)</p> <p>1.4 Proportion who were a victim of domestic burglary or vandalism to the home in the last 12 months</p>
A, C.	2. Poverty and security of income	<p>2.1 Proportion of individuals living in households below 60 per cent of contemporary median income, after housing costs</p> <p>2.2 Mean deprivation score among those above the income poverty threshold</p> <p>2.3 Share of total personal wealth relative to share of population</p>
<p>A, C.</p> <p>B. Get around inside and outside the home, and access transport and public places</p>	3. Access to care	<p>3.1 Proportion of older disabled people who do not receive practical support that meets their needs (England)</p> <p>3.2 Proportion of disabled people (including older people) who do not receive practical support, or lack equipment/adaption</p>

		<p>(Scotland)</p> <p>3.3 Proportion of disabled people (including older people) who do not receive practical support that meets their needs (GB)</p> <p>3.4 Proportion of parents who do not have access to childcare which meets their and their children's needs (England)</p> <p>3.5 Proportion of parents who would prefer to change their childcare arrangements but are unable to do so (Scotland)</p>
A, B. G. Access green spaces and the natural world	4. Quality of the local area	<p>4.1 Proportion living in an area with 'unsatisfactory' or 'poor' local environmental conditions (England)</p> <p>4.2-4.3 Average number of problems with local environmental quality cited (Scotland; Wales)</p> <p>4.4 Proportion able to reach local facilities in reasonable time / fairly easily without private transport</p>
A, C.	5. Being treated with respect by private companies and public agencies in relation to your standard of living	<p>5.1 Proportion who report being treated unfairly by financial institutions, utility companies, housing officials or private landlords, social services, Jobcentre Plus or the Pension Service, or who have avoided contacting them for fear of being treated</p>

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		unfairly
D. Have choice and control over where and how you live E. Have control over personal spending	[autonomy indicators]	
H. Share in the benefits of scientific progress including medical advances and info & tech	[not specifically covered]	

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>PRODUCTIVE AND VALUED ACTIVITIES</b>		
A. Have a decent paid job, with support where necessary	1. Employment rate	1.1 Proportion of working age population in paid employment
A. F. Work in just and favourable conditions, including health and safety, fair treatment during pregnancy, maternity and paternity, fair pay, reasonable hours, and freedom from harassment or discrimination	2. Earnings	2.1 Proportion earning less than 60 per cent of median hourly earnings of employees (excluding unpaid overtime) 2.2 Median hourly earnings of employees (excluding unpaid overtime) (pay gaps)
H. Not be prevented from working in a particular occupation without good reason A, F.	3. Occupation	3.1 Difference in proportions of group x and group y (for example, men and women) in each occupation, summed across all occupations (horizontal segregation) 3.2- 3.3 Weighted average prevalence of work-related illness/non-fatal work-related injury per 100,000 employed, based on occupation

F, H.	4. Discrimination in employment	4.1 Proportion with experience of unfair treatment, harassment or bullying at work in the last two years
<p>E. Choose a balance between paid and unpaid work, care and leisure on an equal basis with others</p> <p>B. Care for others, including children &amp; parents</p> <p>C. Do something useful and have the value of your work recognised even if unpaid</p> <p>D. Have rest and leisure, including holidays, and respite from caring responsibilities</p>	5. Unpaid care and free time	<p>5.1 Proportion of those with unpaid caring responsibilities who are fully satisfied with the gains and feel adequately recognised</p> <p>5.2 Free time (24 hours minus paid work, unpaid work and personal care)</p>
G. Not be forced to work in a particular occupation or without pay	[not specifically covered]	



AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>INDIVIDUAL, FAMILY AND SOCIAL LIFE</b>		
H. Form intimate relationships, friendships and a family K. Spend time with, and care for, others, including wider family G. Access emotional support O. Know that someone will look out for you P. Have peace of mind	1. Availability of support	1.1 Proportion meeting relatives or friends at least once a week, or talking to them on the phone 1.2 Proportion meeting family members at least once a week, or talking to them on the phone (Scotland) 1.3 Score on five yes/no questions about availability of support 1.4: Score on three agree/disagree questions about availability of support (Scotland)
L. Enjoy independence and equality in primary relationships including marriage F. Have a private life and some personal space, including protection of personal data E. Develop and maintain self-respect, self-esteem and self-confidence	2. Being free from domestic abuse (emotional or financial)	2.1: Proportion experiencing domestic abuse (emotional or financial) in the last 12 months (reporting the relationship of victim to principal suspect, including partner abuse)
I. Celebrate on special occasions H. K.	3. Being able to participate in key social and cultural occasions which matter to you	3.1 Proportion who say they have been unable to participate in one or more social or cultural occasions which mattered to them in the last three years (under development)
Develop as a person B. Develop your moral outlook and other	4. Being able to be yourself	4.1 Proportion who feel able to be themselves (a) with their family, (b) with friends, and

beliefs C. Formulate and pursue goals and objectives for yourself		(c) in public (under development)
J. Be confident that your primary relationships will be treated with dignity and respect H, K	5. Being able to form and pursue the relationships you want	5.1 Proportion who feel able to form and pursue the relationships they want (under development)
M. Be free in matters of sexual relationships and reproduction	[not specifically covered]	
D. Hope for the future	[not specifically covered]	
N. Enjoy special support during pregnancy, maternity, and paternity	[not specifically covered]	

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>IDENTITY, EXPRESSION AND SELF-RESPECT</b>		
A. Freedom of conscience, belief and religion	1. Freedom to practice your religion or belief	1.1 Proportion who feel able to practice their religion or beliefs freely
E. Engage in cultural practices, in community with other members of your chosen group or groups, and across communities B. Freedom of cultural identity and expression of gender	2. Cultural identity and expression	2.1 Proportion who believe that people with diverse backgrounds, beliefs and identities get on well together (a) where they live, (b) where they work or study
D. Communicate, including using information and communication technologies and use your own language C. Freedom of expression	3. Ability to communicate in the language of your choice	3.1 Proportion who have the opportunity to communicate in the language of their choice (a) at work/study, (b) when accessing services (under development)
F. Self-respect	4. Self respect	4.1 Mean score on Rosenberg self-esteem scale (under development)
G. Live without fear of humiliation, harassment, or abuse based on who you are H. Be confident that you will be treated with dignity and respect I. Access and use public spaces freely	5. Freedom from stigma	5.1 Mean accumulated humiliation score (under development)

AREA OF LIFE/SUBSTANTIVE FREEDOM	INDICATOR	MEASURE
<b>PARTICIPATION, VOICE AND INFLUENCE</b>		
Participate in democratic free and fair elections B. Participate in the formulation of government policy, locally and nationally	1. Formal political participation	1.1 Proportion who voted in most recent General, national or local election 1.2 Equality characteristics of elected representatives in House of Commons, Scottish Parliament, National Assembly for Wales and local councils, relative to national population
B. F. Participate in the local community	2. Perceived influence in local area	2.1 – 2.2 Proportion who feel they can influence decisions affecting their local area (England and Wales; Scotland)
B. E. Get together with others, peacefully	3. Political activity	3.1 Proportion undertaking at least one of the following activities in the last 12 months: contacting a councillor, local official, government official or MP (other than in relation to personal issues); attending public meeting or rally; taking part in demonstration or signing petition (England and Wales) 3.2 Proportion who have ever contacted an MP or MSP, government official, or media outlet about a government action that s/he felt was harmful or unjust (Scotland)
G. Form and join civil organisations and	4. Taking part in civil organizations	4.1 Proportion who were members of a local

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solidarity groups, including trade unions C, E.		decision-making body in last 12 months (England and Wales) 4.2 Proportion active in a local or national campaigning or solidarity organisation or group in last 12 months (Scotland) 4.3 Proportion active in a local or national campaigning or solidarity organisation or group in last 3 years (Wales)
B, F, G.	5. Being treated with dignity and respect while accessing and participating in decision-making forums	5.1 Proportion treated with dignity and respect while accessing and participating in local or national decision-making forums (under development)
A. Participate in decision-making and make decisions affecting your own life independently	[autonomy indicators]	

## **Appendix B: Literature search terms**

Scotland/Scottish equality/ inequality/equalities/equal opportunity/opportunities, equality of outcome, equal treatment

Definition, measurement, equality + Scotland/Scottish

Attitudes to equality/inequality + Scotland/Scottish

Discrimination + Scotland/Scottish

Prejudice + Scotland/Scottish

Equality strands/groups + Scottish/Scotland

Scottish/Scotland persistent inequality + disadvantage

Scottish/Scotland significant inequality + disadvantage

Scotland inequality

Age (Old, Elder, Younger, child, young person, pensioner) + Scottish/Scotland + inequality

Gender (Female/male/Women/Men) + Scottish/Scotland + inequality

Disability, long-term illness, mental health, learning needs + Scottish/Scotland + inequality

Ethnicity (race/Ethnic/BME/Refugee/Gypsy/Traveller) + Scottish/Scotland + inequality

Migrant/migration, immigration + Scottish/Scotland + prejudice, discrimination, inequality

Religion (Religion/Faith/Belief/Sectarianism) + Scottish/Scotland + inequality

Sexual orientation (Gay, Lesbian, Bisexual, Transgender/gender reassignment, LGBT, Homosexuality/Heterosexuality, etc) + Scottish/Scotland + inequality

Human rights + Scottish/Scotland + inequality + significant

Harassment, hate crime, domestic/gender abuse/violence + Scottish/Scotland

## Appendix C: Summary analysis of Phase 1 data collection by equality group

The table below outlines the significant inequalities to emerge from the literature review and the stakeholder interviews. The table summarises the key themes in line with the equality characteristics set out within the EMF.

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
<b>Age</b>	<p>Interviewees talked about 'age' inequality in terms of:</p> <ul style="list-style-type: none"> <li>• experience of physical security, specifically in relation to older people and children/young people), and</li> <li>• social inclusion and access to services, thinking specifically about geographical location.</li> </ul> <p>22% of documents reviewed contained data relevant to the 'Age', either discussing age as a primary or secondary focus. Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• older people's inclusion and exclusion from the labour market, with the third of these documents exploring emerging employment practice on age</li> <li>• educational attainment, specifically changes in context, inequality and outcomes over time, and</li> <li>• the experiences of ethnic minority older people,</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• Age was reported to have an impact on physical security in respect of two key groups: children and young people, and older people.</li> <li>• Older people can experience isolation from wider society and social networks. This exclusion may be a result of living in rural areas and/or having poor access to transport, or may relate to issues such as language barriers experienced by ethnic minority older people. These problems can be exacerbated where there is social class inequality and/or low income.</li> </ul> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• Education and old age are key factors determining unequal employment opportunity.</li> <li>• Evidence/data gaps: long with sex and social class, there are reported to be the fewest gaps in relation to age data.</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	including elder abuse	
<b>Disability</b>	<p>Interviewees talked about ‘disability’ inequality in terms of:</p> <ul style="list-style-type: none"> <li>• age; specifically, the ability of young people to access the same services and opportunities as non-disabled young people and the ability of disabled adults to access the same range of support as disabled young people</li> <li>• poverty</li> <li>• social inclusion and experience of feeling valued by society, and</li> <li>• representation by the media.</li> </ul> <p>23% of documents reviewed contained data that were considered relevant to ‘Disability’, either as as either a primary or secondary focus.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• Scottish disabled people’s experience of hate crime and of targeted violence and hostility.</li> <li>• Negative experiences of gay men, lesbians, bisexual and transgender disabled people when participating in community groups.</li> <li>• Links between disability and inequality in employment opportunities and pay.</li> <li>• Links between disability and employment and</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• Transition from children/young people’s services to adult services was reported to be a particularly difficult time and one which can lead to inequality, that is, exclusion from services on age grounds. There was also reported to be the possibility of experiencing increased disability-related discrimination during- and post-transition to adulthood.</li> <li>• The discrimination and exclusion experienced by disabled people can lead to social exclusion and poverty which, in itself, perpetuates the cycle of inequality.</li> <li>• There is high-level, national discrimination in terms of media reporting and portrayal of disabled people which, it was reported, can be exacerbated by political attitudes, for example when policies relating to discrimination and support of specific groups are seen to be the reserve of UK Parliament rather than warranting targeted attention from Scottish Government.</li> <li>• Related to the above, there was a sense of an implicitly tolerated culture in which negative portrayal of disabled people is seen as the norm. This can create a vicious cycle in which disabled young people undervalue themselves and do not feel able to participate fully in</li> </ul>



Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	provision of goods/services.	<p>society.</p> <ul style="list-style-type: none"> <li>• There was thought to be bias shown by the media towards highlighting of disability issues related to hearing and mobility, to the detriment of mental health's 'air time'. It was suggested that the impact of this is significant but, as the support available is limited and many sufferers rely on friends/family carers, much discrimination is 'hidden'.</li> </ul> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• There are notable differences in process and outcome data relating to disabled people when compared to non-disabled people across a wide range of dimensions including, for example: economic activity and pay, applications for local authority housing and involvement in cultural activities, as well as economic activity and educational attainment.</li> <li>• Disabled people are more likely than non-disabled people to experience targeted victimisation and harassment, particularly where the disability relates to mental health.</li> <li>• Discrimination that relates to sexual orientation is a problem for disabled lesbians, gay men, bisexual and transgender people.</li> <li>• Evidence/data gaps: There are gaps in data on disability in general terms, and a paucity of Scotland-specific data on disabled people's experience of</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
		<p>violence and hostility</p> <ul style="list-style-type: none"> <li>There are limited data on age inequality in relation to disabled people, and in particular on inequality experienced by gay men, lesbians, bisexual and transgender disabled people. There are challenges relating to achieving consistent definitions of disability, as is also the case with ethnicity and sexual orientation</li> </ul>
<b>Ethnicity</b>	<p>Interviewees talked about ‘ethnicity’ inequality in terms of:</p> <ul style="list-style-type: none"> <li>access to services</li> <li>financial wellbeing/experience of poverty</li> <li>experience of discrimination, particularly in rural areas and when moderated by other equality issues such as sexual orientation</li> <li>representation in the media</li> <li>gender inequality</li> <li>educational achievement and support in school, and</li> <li>economic activity and inclusion.</li> </ul> <p>38% of documents reviewed contained data that was considered relevant to ‘Ethnicity’ as either a primary or secondary focus.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>inequality experienced by Scottish Gypsy</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>Rural areas were cited as being particularly discriminatory environments for ethnic minority groups. The small numbers of ethnic minority people living in rural areas exacerbate this problem in that it is harder to access appropriate networks of support.</li> <li>Ethnic minority groups can experience inequality in economic activity, for example employment discrimination, lower pay and limits to pension opportunities.</li> <li>Some ethnic minority groups were reported to be particularly vulnerable. Gypsy Travellers were cited as one group who experiences inequality across a number of domains; they were said to be ‘bottom of the league in terms of health outcomes, education, housing, victimisation...’</li> <li>Some individuals are even more at risk of discrimination, namely young people and asylum seekers.</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<p>Travellers</p> <ul style="list-style-type: none"> <li>• ethnicity/race inequality in Scotland post-devolution</li> <li>• elder abuse experienced by ethnic minority older people and discrimination against older people from ethnic minority groups more widely, and</li> <li>• inequality in educational outcomes between ethnic groups.</li> </ul>	<ul style="list-style-type: none"> <li>• Inequality of access to services was reported to be a big problem, particularly when exacerbated by a language barrier.</li> <li>• Where minority ethnic children achieve high educational attainment, this can actually trigger discrimination: 'because they seem to be performing well, they're not given any resources by the Government, but there is significant inequality in terms of recognitional injustice', that is while their educational needs are being met, their cultural identity needs are not. Helping young people to be proud of their ethnicity while also developing 'a sense of belonging', it was argued, requires focused support and financial investment.</li> </ul> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• There are notable gender differences in reported experience of inequality among ethnic minority groups across a range of dimensions.</li> <li>• There are notable differences in process and outcome data for minority ethnic groups across a wide range of dimensions including economic activity and pay, school exclusion rates, involvement in cultural activities, educational attainment, justice, and health.</li> <li>• Inequality in housing tenure, condition of housing and access to housing is a key issue in relation to minority ethnic groups.</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
		<ul style="list-style-type: none"> <li>• There is particular inequality experienced by Scottish Gypsy Travellers and other ethnic minority groups, including discrimination, abuse and barriers to accessing services.</li> <li>• Evidence/data gaps: There are particular challenges posed to those conducting research on ethnic minority groups in Scotland as some equality groups have very small numbers. Research on ethnic minority groups is 'limited and fragmented'. There is a paucity of data on how ethnicity affects educational attainment, participation in higher education and the effects on employment and economic (in)activity.</li> </ul>
<b>Gender</b>	<p>Interviewees talked about 'gender' inequality in terms of:</p> <ul style="list-style-type: none"> <li>• Health, specifically life expectancy and performance in respect of key health indicators</li> <li>• educational take-up and attainment, and access to opportunity, particular taking into account moderating effects of geographical location and social class</li> <li>• experience of domestic abuse</li> <li>• experience of social exclusion and poverty</li> <li>• opportunity to access employment, unemployment and income inequality, and</li> <li>• experience of discrimination and disrespect,</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• There is significant inequality in relation to key health indicators, such as heart disease, obesity and life expectancy. There is still a lot of ignorance related to health-specific issues generally, as well as the need for more research into effective interventions: '...women live longer than men but we don't know how to change it'.</li> <li>• Achievement, on a range of dimensions, can be affected by gender and exacerbated where other inequality is present. For example, boys underachieve educationally, but outcomes are worse when boys are working class.</li> <li>• Domestic abuse is a significant gender inequality issue. Violence against women is a major problem in Scotland</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<p>particularly in relation to older people.</p> <p>38% of documents reviewed contained data that was considered in some way relevant to 'Gender' as either a primary or secondary focus.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• Inequality facing women, particularly ethnic minority women, and women's representation in parliament</li> <li>• gender equality post-devolution; with a gender perspective on inclusion</li> <li>• the impact of gender on educational attainment</li> <li>• the experience of Scottish Gypsy Travellers with some evidence broken down by gender</li> <li>• poverty and social inclusion/exclusion, again, providing some data breakdown by gender</li> </ul>	<p>and, it was said 'is part of the systemic discrimination against all women in society...it is pervasive' and was also reported to 'have been a feature of the culture in some parts of Scotland for some time'.</p> <ul style="list-style-type: none"> <li>• There are a number of gender-specific inequality issues that relate to economic activity. Women and men's pay can be unequal, women can be discriminated against in employment, especially in respect of flexible working arrangements. Low pay has a knock-on effect on women's independence which can lead to other forms of poverty-related exclusion.</li> <li>• There is gender inequality in dignity and respect; again, there are cultural issues to do with violence against and disrespect shown to women, and these problems can be worsened when people are older, or experience mental health conditions.</li> </ul> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• Gender inequality is persistent and has an impact on equality across a wide range of areas including: health, economic activity, education and criminal justice.</li> <li>• Life expectancy of both men and women in Scotland is lower than in any of the 'arc of prosperity' countries.</li> <li>• There is evidence to show women in Scotland are worse off than men in respect of involvement in political/public life; childcare/ caring responsibilities; employment, income and wealth; housing; access to</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
		<p>certain resources such as private cars.</p> <ul style="list-style-type: none"> <li>• There is evidence to show men in Scotland are worse off than women in respect of: several health outcomes; education take-up and attainment; criminal justice.</li> <li>• Gender and social class are the most notable factors affecting older people's inequality.</li> <li>• Evidence/data gaps: Along with age and social class, there are fewest gaps in data on gender. However, there are gaps in knowledge on aspects of gender and ethnicity, gender and religion or belief or gender and disability.</li> </ul>
<b>Religion or belief</b>	<p>There were limited data from interviews about inequality by religion or belief, but a number of religion-specific issues were discussed under the banner of 'ethnicity' (see section above). Interviewees talked about 'religion/belief' inequality explicitly in terms of:</p> <ul style="list-style-type: none"> <li>• the difficulty in, but importance of conceptualising the differences between religion and belief, and</li> <li>• experience of sectarianism.</li> </ul> <p>22% of documents reviewed contained data that was considered in some way relevant to 'Religion/belief'.</p> <p>Key themes from these documents focused on:</p>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• There was reported to be 'dramatically less sectarianism than there used to be in Scotland' and this was attributed to an increasing number of people, particularly young people identifying that religion does not have a bearing on their identity.</li> <li>• The need to distinguish religion from belief was thought to be an important point to address: '...there have to be opportunities for faith communities to come together without discriminating against the religious...' It can also be the case that religion/faith inequality affects those who do not belong to a particular school of thought: '...someone can be discriminated against because they have no belief...we need to be bridges between those with faith and no-faith'.</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<ul style="list-style-type: none"> <li>• employment practice in relation to religion/ belief</li> <li>• causes of discrimination against older people, including data on religion/belief</li> <li>• the experience of Scottish Gypsy Travellers broken down by religion/belief</li> <li>• inequality experienced by women, including data on religion/belief</li> </ul>	<p>Literature review:</p> <ul style="list-style-type: none"> <li>• Due to limited data, few conclusions can be drawn about religion/faith and other equality interactions, for example gender.</li> <li>• There is evidence of discriminatory attitudes exhibited among certain groups in Scotland on the basis of religion/ belief with discrimination most notable against Muslims.</li> <li>• Muslims emerge as one group who experience unequal access to services and who are targeted negatively, particularly when wearing identifying dress.</li> <li>• Evidence shows that older people from certain faith groups are more likely to experience targeted hostility.</li> <li>• There is inequality experienced by people from minority religious groups across a number of domains, including economic activity and housing tenure.</li> <li>• Evidence/data gaps: Along with sexual orientation and transgender, religion / belief is an issue with a large number of data gaps. There are particular challenges posed to those conducting research on religion/belief in Scotland, given the small numbers of some religious/belief groups.</li> </ul>
<b>Sexual orientation</b>	<p>Interviewees talked about inequality and 'sexual orientation' in terms of:</p> <ul style="list-style-type: none"> <li>• experience of hate crime</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• Homophobia is particularly bad in certain parts of Scotland with gay men, lesbians and bisexual people</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<ul style="list-style-type: none"> <li>• access to services</li> <li>• experience of education and, related to that, educational attainment, and</li> <li>• ability to have a social identity.</li> </ul> <p>15% of documents reviewed contained data that was considered in some way relevant to 'Sexual orientation'.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• the experiences of lesbians, gay men, bisexual and transgender disabled people's participation in community groups</li> <li>• employment practice in relation to sexual orientation, and</li> <li>• causes of discrimination against older people, including sexual orientation.</li> </ul>	<p>(as well as transgender people) all being victims of stereotyping, abuse and hate crime.</p> <ul style="list-style-type: none"> <li>• Homophobia was also discussed specifically in relation to bullying in schools and the impact this can have on educational attainment and self-esteem.</li> <li>• As was the case with ethnicity, rural areas, in particular, were reported to be discriminatory environments for lesbian, gay men, bisexual and transgender people where they can feel geographically isolated as well as suffering from 'systematic lack of freedom to be themselves and be accepted in their own communities'.</li> <li>• Similarly, discrimination against gay men, lesbians and bisexual people can be compounded by other issues e.g. also being disabled or from an ethnic minority group. Wider societal differences, such as only having the right to a civil partnership, not to marriage are also recognised as important forms of discrimination.</li> <li>• There is inequality in access to and use of certain services, specifically fertility treatment and adoption services, with the latter providing 'less choice' for some lesbians and gay men.</li> <li>• In terms of tackling inequality, gay men, lesbians, bisexual and transgender people were seen as: 'an unrecognised group in many respects'. This was discussed specifically in relation to class: '[if LGBT people] are middle-class and very able in terms of resources, but they have no recognition... we can't see</li> </ul>



Type of inequality	How was the inequality discussed?	What are the headline issues to note?
		<p>beyond the economic and finance lens...'</p> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• There is evidence that discriminatory attitudes towards gay men, lesbians, bisexual people and transgender people (along with Travellers, Muslims and some ethnic minority groups) remain widespread.</li> <li>• There is insufficient research evidence to really understand the inequality experienced by gay men, lesbians, bisexual and transgender people in Scotland.</li> <li>• Evidence/data gaps: Data on sexual orientation are limited. Along with religion/belief, sexual orientation is one of the equality issues with the most data gaps.</li> </ul>
<b>Transgender</b>	<p>Interviewees talked about 'transgender' and inequality in terms of:</p> <ul style="list-style-type: none"> <li>• experience of discrimination and harassment</li> <li>• access and experience of using healthcare services, and</li> <li>• experience of mental health conditions.</li> </ul> <p>14% of documents reviewed contained data that was considered in some way relevant to 'Transgender'.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• discrimination and inequality issues experiences by transgender people in Scotland</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• As was the case for gay men, lesbians and bisexual people, transgender people are recognised as experiencing harassment, discrimination and stereotyping. Understanding the persistence of transgender discrimination over generations is challenging as: '...it was so strong historically that people wouldn't come out...It is hard to accurately measure trends when you can't be confident about the level of discrimination'.</li> <li>• One of the biggest issues in terms of accessing services related to healthcare provision, notably the problems facing transgender people accessing and using gender reassignment services. There was also</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<ul style="list-style-type: none"> <li>• employment practice in relation to sexual orientation was one, and</li> <li>• the experiences of transgender disabled people's participation in community groups.</li> </ul>	<p>said to be unfair treatment of transgender people in accessing housing services.</p> <ul style="list-style-type: none"> <li>• There was also thought to be a high incidence of mental health conditions experienced by transgender people, suggesting that discrimination has a significant effect on emotional wellbeing.</li> </ul> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• Transgender people living in Scotland report having experienced discrimination and targeted hostility, as well as poor/unequal quality service provision.</li> <li>• Guidance is needed for professionals providing services to transgender people.</li> <li>• There has been little data and research on the needs of transgender people, which limits our ability to understand the range of inequality issues facing transgender people in Scotland.</li> <li>• Evidence/data gaps: More research is needed into the needs and experiences of transgender people in general, as well as focusing on particular groups e.g. transgender young people, young people with a transgender parent, and transgender people experiencing domestic abuse.</li> </ul>
<b>Social class</b>	<p>Interviewees talked about 'social class' and inequality in terms of:</p> <ul style="list-style-type: none"> <li>• poverty, economic activity and income</li> </ul>	<p>Interviewees:</p> <ul style="list-style-type: none"> <li>• The low income associated with low social class can compound other forms of inequality:</li> </ul>

Type of inequality	How was the inequality discussed?	What are the headline issues to note?
	<p>inequality</p> <ul style="list-style-type: none"> <li>• access to goods and services, and</li> <li>• its relationship with risk-taking, harmful behaviour.</li> </ul> <p>20% of documents reviewed contained data that was considered in some way relevant to 'Social Class'.</p> <p>Key themes from these documents focused on:</p> <ul style="list-style-type: none"> <li>• social class and educational attainment with a specific look at gender</li> <li>• the inter-related nature of social class, poverty and inequality, and the government's role</li> <li>• the impact of social class on older people's inequality, and</li> <li>• the interaction between ethnicity, social class, and educational attainment.</li> </ul>	<p>'Poverty and low status exacerbate every other kind of inequality; money and higher status reduce the impact of every other kind of inequality'.</p> <p>Literature review:</p> <ul style="list-style-type: none"> <li>• Inequality in class-based educational attainment in Scotland is persistent, in spite of policy efforts</li> <li>• Social class and gender are the most notable factors older people's inequality. Social class has a critical bearing on other forms of inequality, notably, educational attainment, employment opportunities and health outcomes.</li> <li>• Levels of educational attainment and participation have been consistently higher in Scotland than England across all classes, although there are higher levels of inequality in relation to later outcomes (18+ attainment) in Scotland than England.</li> <li>• Evidence/data gaps: There are more data on social class than on group based equality issues. Social class underpins much of the literature on group based in inequality. However, there is a paucity of data on how Scottish Government policies aimed at reducing poverty have had an impact on different equality groups.</li> </ul>

## **Appendix D: Areas of life and substantive freedoms**

The three aspects of equality - outcome, process and autonomy - need to be measured against critical areas of life. A two-stage process was used to create a list of these critical areas of life. First, the international human rights framework was used to draw up a core list of what they might be. Second, this list was supplemented and refined through a process of deliberative consultation - a programme of workshops and interviews with the general public and with individuals and groups at high risk of discrimination and disadvantage.

This process resulted in the development of a detailed list of central and valuable freedoms or substantive freedoms - grouped under 10 domains or areas of life.

The 10 areas of life are:

- life
- health
- physical security
- legal security
- education and learning
- standard of living
- productive and valued activities
- individual, family and social life
- identity, expression and self-respect, and
- participation, influence and voice.

The specific substantive freedoms for adults are:

### **The freedom to be alive**

Including, for example, being able to:

- avoid premature mortality through disease, neglect, injury or suicide, and
- be protected from being killed or murdered.

### **The freedom to be healthy**

Including, for example, being able to:

- attain the highest possible standard of physical and mental health, including sexual and reproductive health

- access timely and impartial information about health and healthcare options, including contraception
- access healthcare, without discrimination and in a culturally sensitive way
- be treated medically, or subject to experiment, only with informed consent
- be assured of patient confidentiality and be free from the stigmatisation associated with some health conditions
- maintain a healthy lifestyle including exercise, sleep and nutrition, and
- live in a healthy and safe environment including clean air, clean water, and freedom from pollution and other hazards.

**The freedom to live in physical security**

Including, for example, being able to:

- be free from violence including sexual and domestic violence and violence based on who you are
- be free from cruel, inhuman or degrading treatment or punishment
- be protected from physical or sexual abuse (especially by those in positions of authority), and
- go out and to use public spaces safely and securely without fear.

**The freedom to be protected and treated fairly by the law**

Including, for example, being able to:

- know you will be treated with equality and non-discrimination before the law
- be secure that the law will protect you from intolerant behaviour, and from reprisals if you make a complaint
- be free from arbitrary arrest and detention
- have fair conditions of detention
- have the right to a fair trial
- have access to affordable and high-quality information and advocacy as necessary
- have freedom of movement
- have the right to name, gender and nationality
- own property and financial products including insurance, social security, and pensions in your own right, and
- know your privacy will be respected.

### **The freedom to be knowledgeable, to understand and reason, and to have the skills to participate in society**

Including, for example, being able to:

- attain the highest possible standard of knowledge, understanding and reasoning
- be fulfilled and stimulated intellectually, including being creative if you so wish
- develop the skills for participation in productive and valued activities, including parenting
- learn about a range of cultures and beliefs and acquire the skills to participate in a diverse society, including learning English
- access education, training and lifelong learning that meet individual needs, and
- access information and technology necessary to participate in society.

### **The freedom to enjoy a comfortable standard of living, with independence and security**

Including, for example, being able to:

- enjoy an adequate and secure standard of living including nutrition, clothing, housing, warmth, social security, social services and utilities, and being cared for and supported when necessary
- get around inside and outside the home, and to access transport and public places
- live with independence, dignity and self-respect
- have choice and control over where and how you live
- have control over personal spending
- enjoy your home in peace and security
- access green spaces and the natural world, and
- share in the benefits of scientific progress including medical advances and information and technology.

### **The freedom to engage in productive and valued activities**

Including, for example, being able to:

- have a decent paid job, with support where necessary
- care for others, including children and parents
- do something useful and have the value of your work recognised even if unpaid
- have rest and leisure, including holidays, and respite from caring responsibilities

- choose a balance between paid and unpaid work, care and leisure on an equal basis with others
- work in just and favourable conditions, including health and safety, fair treatment during pregnancy, maternity and paternity, fair pay, reasonable hours, and freedom from harassment or discrimination
- not be forced to work in a particular occupation or without pay, and
- not be prevented from working in a particular occupation without good reason.

**The freedom to enjoy individual, family and social life**

Including, for example, being able to:

- develop as a person, including self-identity
- develop your sense of values and other beliefs
- formulate and pursue goals and objectives for yourself
- hope for the future
- develop and maintain self-respect, self-esteem and self-confidence
- have a private life and some personal space, including protection of personal data
- access emotional support
- know that someone will look out for you
- have peace of mind
- form intimate relationships, friendships and a family
- celebrate on special occasions
- be confident that your primary relationships will be treated with dignity and respect
- spend time with, and care for, others, including wider family
- enjoy independence and equality in primary relationships including marriage
- be free in matters of sexual relationships and reproduction, and
- enjoy special support during pregnancy, maternity, paternity and adoption.

**The freedom of being and expressing yourself, and having self-respect**

Including, for example, being able to:

- have freedom of conscience, belief and religion
- have freedom of cultural identity and expression of gender
- have freedom of expression
- communicate, including using information and communication technologies, and use your own language

- engage in cultural practices, in community with other members of your chosen group or groups and across communities
- have self-respect
- live without fear of humiliation, harassment, or abuse based on who you are
- be confident that you will be treated with dignity and respect, and
- access and use public spaces freely.

**The freedom to participate in decision-making, have a voice and influence**

Including, for example, being able to:

- participate in decision-making and make decisions affecting your own life independently
- participate in the formulation of government policy, locally and nationally
- participate in non-governmental organisations concerned with public and political life
- participate in democratic free and fair elections
- get together with others, peacefully
- participate in the local community, and
- form and join civil organisations and solidarity groups, including trade unions.



## **Appendix E: Using the Equality Measurement Framework to organise and measure significant inequalities**

The table which follows illustrates how the significant inequalities identified through this research fits with the Equality Measurement Framework (EMF) social outcomes and the EMF indicators and associated measures. The table is separated into seven sections corresponding to the significant inequalities. Please use the following guidance to help interpret this table.

The significant inequalities identified through this research are listed at the top of each section.

Notes:

- For some of the significant inequalities, the EMF does not offer a specific spotlight indicator. Where this occurs, information is provided at the start of the table.
- EMF Area of Life: this represents the broad issue from the EMF that corresponds to the significant inequality.
- EMF Social Outcome: this column lists the EMF social outcomes that correspond to each significant inequality. There is a letter beside each social outcome the first time it is listed. When the same social outcome relates to another indicator, only the letter is listed. The letter corresponds to the social outcome letter published in the EMF appendix table.
- Indicator in EMF: this column outlines the relevant EMF indicator that can be used as a starting point to measure a significant inequality. The indicator number corresponds to the indicator number published in the EMF.
- Associated Measure: this column shows the statistical measure that can be used to analyse specific indicators.
- Source: this column shows the data source used for each of the measures.
- Disaggregation: this column outlines at what level the data for each measure can be disaggregated, that is for each of the seven equality groups - age, gender, gender identity, disability, ethnicity, religion or belief and sexual orientation, plus social class.

<b>Significant Inequality:</b>	<b>Poverty / Low Income</b> Inequality in poverty, income and economic inactivity			
<b>Significant inequality with no corresponding EMF indicator:</b>	Being treated with respect in the community			
<b>EMF Area of Life:</b>	<b>Standard of Living</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Enjoy an adequate and secure standard of living including nutrition, clothing, housing, warmth, social security, social services and utilities, and being cared for and supported when necessary C - Live with independence, dignity and respect	2. Poverty and security of income	2.1 Percentage of individuals living in households below 60 per cent of contemporary median income, after housing costs	Households Below Average Income and Family Resources Survey	Age, Gender, Disability, Ethnicity (combining years) and Social Class
		2.2 Mean deprivation score among those above the income poverty threshold	Family Resources Survey / new data collection	Age, Gender, Disability and Social Class
		2.3 Share of total personal wealth relative to share of population	Wealth and Assets Survey	To be confirmed
A.	3. Access to care	3.1 Percentage of disabled people (including older people) who do not receive practical support, or lack equipment / adaption that would help	Scottish Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years)

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		3.2 Percentage of parents who would prefer to change their childcare arrangements but are unable to do so	Scottish Household Survey	and Social Class
A.	4. Quality of the local area	4.1 Average number of problems with local environmental quality cited	Scottish Household Survey	
A. C.	5. Being treated with respect by private companies and public agencies in relation to your standard of living	5.1 Proportion who report being treated unfairly by financial institutions, utility companies, housing officials or private landlords, social services, Jobcentre Plus or the Pension Service, or who have avoided contacting them for fear of being treated unfairly	To be developed	
D - Have choice and control over where and how you live				
<b>EMF Area of Life:</b>	<b>Productive and Valued Activities</b>			
A. Have a decent paid job, with support where necessary	1. Employment Rate	1.1 Percentage of working-age population in paid employment	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class

F. Work in just and favourable conditions, including health and safety, fair treatment during pregnancy, maternity and paternity, fair pay, reasonable hours, and freedom from harassment or discrimination A.	2. Earnings	2.1 Percentage earning less than 60 per cent of median hourly earnings of employees (excluding unpaid overtime)		
		2.2 Median hourly earnings of employees (excluding unpaid overtime) (pay gaps)		
H. Not be prevented from working in a particular occupation without good reason A. F.	3. Occupation	3.1 Difference in proportions of group x and group y (for example men and women) in each occupation, summed across all occupations (horizontal segregation)	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Disability, Gender and Social Class

# SIGNIFICANT INEQUALITIES IN SCOTLAND

<b>Significant Inequality:</b>	<b>Access to Services</b> Inequality in access to public services, preventative services and lifelong learning			
<b>Significant inequality with no corresponding EMF indicator:</b>	Access to services, access to transport and resources generally Access to preventative services Access to health and education during transition from children and young people to adult services			
<b>EMF Area of Life:</b>	<b>Standard of Living</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Enjoy an adequate and secure standard of living including nutrition, clothing, housing, warmth, social security, social services and utilities, and being cared for and supported when necessary	1. Housing quality and security	1.1 Percentage of individuals living in sub-standard, overcrowded or unadapted accommodation	Scottish House Condition Survey	Age, Gender, Disability, Ethnicity (combining years)
C - Live with independence, dignity and self-respect				
A. C. B - Get around inside and outside the home, and to access transport and public places	3. Access to care	3.1 Percentage of disabled people (including older people) who do not receive practical support, or lack equipment / adaption that would help	Scottish Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class
		3.2 Percentage of parents who would prefer to change their childcare arrangements but are		

		unable to do so		
A. B G - Access green spaces and the natural world	4. Quality of the local area	4.2 Percentage able to reach local facilities in reasonable time / fairly easily without private transport		
<b>EMF Area of Life:</b>	<b>The ability to be healthy</b>			
B. Access to timely and impartial information about healthcare options, including contraception	3. Dignity and Respect in healthcare treatment	3.1 Percentage with low perceptions of treatment with dignity and respect in healthcare	Better Together Survey (under development)	To be confirmed
C - Access to healthcare without discrimination, in a culturally sensitive way		3.2 Percentage reporting lack of support for individual nutritional needs during hospital stays		
<b>EMF Area of Life:</b>	<b>Education and Learning</b>			
E - Access education, training and lifelong learning that meets individual needs	3. Participation in lifelong learning			
F - Access information and technology necessary to participate in society	4. Use of internet	4.1 Percentage who have used the internet for any purpose within the last three months	ONS Omnibus / Opinions Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class

## SIGNIFICANT INEQUALITIES IN SCOTLAND

<b>EMF Area of Life:</b>	<b>Legal Security</b>			
F - Access to affordable and high quality information and advocacy as necessary	4. Equal protection and support for individuals with justiciable civil justice problems			
<b>EMF Area of Life:</b>	<b>Identity, Expression and Self Respect</b>			
I - Access and use public spaces freely	5. Freedom from stigma	5.1 Mean accumulated humiliation score	To be developed	To be developed

<b>Significant Inequality:</b>	<b>Employment</b>			
	Exclusion from the labour market, unequal pay between different groups, and discrimination in the workplace			
<b>Significant inequality with no corresponding EMF indicator:</b>	Discrimination in the recruitment process			
<b>EMF Area of Life:</b>	<b>Productive and Valued Activities</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Have a decent paid job, with support where necessary	1. Employment Rate	1.1 Percentage of working-age population in paid employment	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class
F - Work in just and favourable conditions, including health and safety, fair treatment during pregnancy, maternity and paternity, fair pay, reasonable hours, and freedom from harassment or discrimination A.	2. Earnings	2.1 Percentage earning less than 60 per cent of median hourly earnings of employees (excluding unpaid overtime)		
		2.2 Median hourly earnings of employees (excluding unpaid overtime) (pay gaps)		



SIGNIFICANT INEQUALITIES IN SCOTLAND

H. Not be prevented from working in a particular occupation without good reason A. F.	3. Occupation	3.1 Difference in proportions of group x and group y (for example men and women) in each occupation, summed across all occupations (horizontal segregation)	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Disability, Gender and Social Class
		3.2 Weighted average prevalence of work-related illness per 100,000 employed, based on occupation	Labour Force Survey / Annual Population Survey / Integrated Household Survey	
		3.3 Weighted average prevalence of non-fatal work-related injury per 100,000 employed, based on occupation	Household Survey and Health and Safety Executive Statistics	
F. H.	4. Discrimination in employment	4.1 Percentage with experience of unfair treatment, harassment or bullying at work in the last two years	Fair Treatment at Work Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class

<b>Significant Inequality:</b>	<b>Education</b>			
	Bullying and harassment in schools, segregation caused by mainstream and special/private schools; inequality in attainment between different groups of children			
<b>Significant inequality with no corresponding EMF indicator:</b>	Bullying and harassment in schools, segregation caused by mainstream and special/private schools, inequality in attainment between different groups of children. The children's EMF will cover these issues more comprehensively.			
<b>EMF Area of Life:</b>	<b>Education and Learning</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Attain the highest possible standard of knowledge, understanding and reasoning	2. Educational qualifications	2.1 Percentage of each age group with no educational qualifications	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class
C - Develop the skills for participation in productive and valued activities, including parenting		2.2 Percentage of each age group with degree level qualification		
E - Access education, training and lifelong learning that meets individual needs	3. Participation in lifelong learning	3.1 Percentage who have participated in formal or informal learning in last 12 months	Labour Force Survey / Annual Population Survey / Integrated Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class

SIGNIFICANT INEQUALITIES IN SCOTLAND

A. E.	5. Being treated with respect in education	5.1 Percentage of those attending who say they are treated with respect at school or college	Not available	
<b>Significant Inequality:</b>	<b>Health</b> Inequality in access to advice and guidance, poorer health outcomes for some groups than for others in Scotland			
<b>EMF Area of Life:</b>	<b>Healthy</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Attain the highest possible standard of physical and mental health, including sexual and reproductive health	1. Limiting illness, disability and mental health	1.1 Percentage who report a long-standing illness that substantially limits their ability to carry out normal day-to-day activities	Scottish Health Survey	To be confirmed
		1.2 Percentage who report poor mental health and wellbeing		
A.	2. Subjective evaluation of current health status	2.1 Proportion who report poor current health status	Better Together Survey (under development)	Under development
B - Access to timely and impartial information about healthcare options, including contraception.	3. Dignity and Respect in healthcare treatment	3.1 Percentage with low perceptions of treatment with dignity and respect in healthcare		

C - Access to healthcare without discrimination, in a culturally sensitive way		3.2 Percentage reporting lack of support for individual nutritional needs during hospital stays		
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# SIGNIFICANT INEQUALITIES IN SCOTLAND

EMF Area of Life:	Life			
A - Avoid premature mortality through disease, neglect, injury or suicide	1. Life expectancy	1.1 Period life expectancy at birth, and ages 20, 65 and 80	General Register Office for Scotland	Possibly age and gender (sample size to be confirmed)
	3. Other specific-cause mortality rates	3.1 Cardiovascular disease mortality rate (age-standardised)		
		3.2 Cancer mortality rate (age-standardised)		
		3.3 Suicide rate		
		3.4 Accident mortality rate		

<b>Significant Inequality:</b>	<b>Discrimination, social exclusion and lack of participation</b>			
	Social exclusion, limited opportunities for participation, impact of attitudes and awareness			
<b>EMF Area of Life:</b>	<b>Participation, Voice and Influence</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
F - Participate in the local community	2. Perceived influence in the local area	2.1 Percentage who feel they can influence decisions affecting their local area	Scottish Household Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class
G - Form and join civil organisations and solidarity groups, including trade unions	4. Taking part in civil organisations	4.1: Percentage active in a local or national campaigning or solidarity organisation or group in last 12 months	Scottish Household Survey	
F. G.	5. Being treated with dignity and respect while accessing and participating in decision-making forums	5.1 Percentage treated with dignity and respect while accessing and participating in local or national decision-making forums	To be developed	
<b>EMF Area of Life:</b>	<b>Identity, Expression and Self Respect</b>			
A - Freedom of conscience, belief and religion	1. Freedom to practice your religion or belief	1.1 Proportion who feel able to practice their religion or beliefs freely	Not available	
F – Self-respect	4. Self-respect	4.1 Mean score on Rosenberg self-esteem scale	To be developed	

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G - Live without fear of humiliation, harassment, or abuse based on who you are H - Be confident that you will be treated with dignity and respect	5. Freedom from stigma	5.1 Mean accumulated humiliation score	To be developed	
<b>EMF Area of Life:</b>	<b>Individual, Family and Social Life</b>			
	3. Being able to participate in key social and cultural occasions which matter to you	3.1 Percentage who say they have been unable to participate in one or more social or cultural occasions which mattered to them in the last three years	To be developed	
A - Develop as a person B - Develop your moral outlook and other beliefs C - Formulate and pursue goals and objectives for yourself	4. Being able to be yourself	4.1 Percentage who feel able to be themselves (a) with their family, (b) with friends, (c) in public	To be developed	
J - Be confident that your primary relationships will be treated with dignity and respect	5. Being able to form and pursue the relationships you want	5.1 Percentage who feel able to form and pursue the relationships they want	To be developed	
E - Develop and maintain self-respect, self-esteem and self-confidence				

<b>EMF Area of Life:</b>	<b>Education and Learning</b>			
F - Access information and technology necessary to participate in society	4. Use of internet	4.1 Percentage who have used the internet for any purpose within the last three months	ONS Omnibus / Opinions Survey	Age, Gender, Disability, Ethnicity (combining years), Religion and Belief (combining years) and Social Class



# SIGNIFICANT INEQUALITIES IN SCOTLAND

<b>Significant Inequality:</b>	<b>Targeted violence and safety (physical security)</b>			
<b>EMF Area of Life:</b>	Domestic Abuse, targeted violence, lack of physical security, targeted victimisation and harassment on the basis of visible perceived difference			
	<b>Physical Security</b>			
<b>EMF Social Outcome</b>	<b>Indicator in EMF</b>	<b>Associated Measure</b>	<b>Source</b>	<b>Disaggregation</b>
A - Be free from violence including sexual and domestic violence and violence based on who you are	1. Violent crime	1.1 Percentage that are victims of violent crime (all types)	Scottish Crime and Justice Survey	To be confirmed
		1.2 Percentage that are victims of violent crime involving knives, sharp stabbing instruments and guns		
		1.3 Percentage that are victims of sexual violence (with separate reporting of rape, including attempts, and sexual assault		
		1.4 Percentage that are victims of partner violence		
A. B - Be free from cruel, inhuman or degrading treatment or punishment	2. Proportion that are victims of hate crime	2.1 Percentage that are victims of hate crime (race)	Scottish Crime and Justice Survey	To be confirmed
		2.2 Percentage that are victims of hate crime (religion)		
		2.3 Prevalence of hate crime (age)		
		2.4 Percentage that are victims of hate crime (gender)		

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		2.5 Percentage that are victims of hate crime (disability)		
		2.6 Percentage that are victims of hate crime (sexual orientation)		
		2.7 Percentage that are victims of hate crime (transgender)		
A. C - Be protected from physical or sexual abuse (especially by those in positions of authority)	3. Physical security for people resident or detained in institutions	3.1 Elder abuse and other abuse for the non-private household population	Further discussions required with SG and stakeholders	
D - Go out and to use public spaces safely and securely without fear	4. Fear of crime	4.1 Percentage that feel very unsafe or unsafe being alone at home and in local area (during the day and after dark)	Scottish Crime and Justice Survey	To be confirmed
		4.2 Percentage that feel very worried or worried about physical attack, sexual assault or acquisitive crime		
EMF Area of Life:	Legal Security			
	1. Offences reported and brought to justice: rape, domestic violence and hate crime	1.1 The number of cases of rape estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully	Scottish Crime and Justice Survey	Further discussions required

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		prosecuted		
		1.2 The number of cases of domestic violence estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted		
		1.3 The number of cases of hate crime estimated from general population survey sources, compared with the number of cases reported to and recorded by the police, and the number of legal cases successfully prosecuted		

<b>EMF Area of Life:</b>	<b>Individual, Family and Social Life</b>			
L - Enjoy independence and equality in primary relationships including marriage	2. Being free from domestic abuse (emotional or financial)	2.1: Percentage experiencing domestic abuse (emotional or financial) in the last 12 months (reporting the relationship of victim to principal suspect, including partner abuse)	Not available	
<b>EMF Area of Life:</b>	<b>Identity, Expression and Self Respect</b>			
G - Live without fear of humiliation, harassment, or abuse based on who you are	5. Freedom from stigma	5.1 Mean accumulated humiliation score	To be developed	
B - Freedom of culturally identity and expression of gender				
C - Freedom of expression				

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This report presents findings and analysis to develop approaches to identifying significant inequality in Scotland and priorities for action to tackle the most significant inequalities. Five measurable criteria have been developed through this research to offer a way of identifying significant inequalities. A number of specific filters have also been developed to help the Equality and Human Rights Commission with identifying priorities for action.

At the heart of identifying the key inequality issues and priorities for action is the need for good-quality, reliable evidence. The Commission's Equality Measurement Framework is used to model an approach to conceptualising, organising and measuring equality. With increasing demands on scarce resources, it is critical that public authorities have the tools that they need to identify the key equality issues in their area of work plus a transparent approach to how they choose which equality issues to prioritise for action. This report offers some helpful tools to assist with making evidence-based and transparent decisions about the equality issues to prioritise to achieve positive change.