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Introduction

Background to the research

Socio-economic disadvantage involves a complex interaction of a wide range of factors from poverty to health, education, limited social mobility, housing and a lack of expectations\(^1\). Someone who experiences socio-economic disadvantage may be income deprived, live in a deprived area and/or belong to a community of interest that disproportionately experience poverty and social inequality.

A large number of people across Scotland experience socio-economic disadvantage. Moreover, Scotland has seen a significant increase in income and wealth inequality and child poverty in recent years. In 2015/16, the top 10 per cent of the Scottish population had 38 per cent higher incomes than the bottom 40 per cent of the population combined\(^2\). The previous year this was 15 per cent\(^3\). The wealthiest 10 per cent of Scottish households owned 43 per cent of all private net wealth, whereas the bottom 50 per cent of households owned nine per cent of all private wealth in 2012/14\(^4\).

The socio-economic duty was introduced into legislation as Section 1 of the Equality Act 2010, with the aim of ensuring that public bodies had to take socio-economic disadvantage into account when making strategic decisions. However, following a change in government in 2010, the new coalition government decided not to implement the socio-economic duty. Based on the recommendations of the Smith Commission, the power to implement the duty was devolved as part of the Scotland Act 2016. After holding a public consultation on it, the Scottish Government commenced the duty, which came into force in April 2018.

Requirements similar to the socio-economic duty, however, have already been included by the Scottish Government in some domestic legislation. In their Consultation Paper on

\(^3\) Ibid.
the socio-economic duty, the Scottish Government identified the following four pieces of legislation as containing relevant requirements linked to the socio-economic duty⁵:

- Children and Young People (Scotland) Act 2014
- Community Empowerment (Scotland) Act 2015
- Education (Scotland) Act 2016, and

Ahead of the new socio-economic duty, the Equality and Human Rights Commission (EHRC) considered that there may be useful learning that could be taken from the experience of implementing these existing requirements. To achieve this, the EHRC commissioned research to gain a better understanding of the main issues and challenges that the Scottish Government, the public bodies subject to these requirements and the relevant regulatory bodies have faced in relation to the implementation of the socio-economic requirements in the above-mentioned legislation. The research also sought to understand what expectations and hopes these stakeholders had in relation to the implementation of these existing requirements and how those expectations and hopes compare to the actual impact that has been seen so far.

**Research Aims and Objectives**

The aims of the research were to:

1. Provide EHRC Scotland with evidence about the impact of socio-economic requirements in existing legislation, especially the requirements incorporated into the Children and Young People (Scotland) Act 2014 and the Community Empowerment (Scotland) Act 2015.

2. Better understand the approach of public bodies and individuals who have to implement the relevant legislation in relation to compliance or the assessment of progress.

3. Better understand the kind of change that Parliamentarian and inspection bodies expected and to assess the extent to which the implementation of these requirements has created that change.

4. Identify what specific issues, opportunities, threats, advantages or disadvantages are linked to the socio-economic duty, the Fairer Scotland Duty.

Methodology

Wellside Research was commissioned in December 2017 to undertake the research, with the work being undertaken between January and March 2018.

Various organisations were identified as eligible to participate, with the EHRC providing a contact database listing eligible organisations, departments and contacts where available. Organisations were sampled as follows:

- legislators and Parliamentarians (generally consisting of Members of the Scottish Parliament (MSPs))
- Scottish Government directorates or teams
- public bodies who are subject to the four Acts outlined above
- regulatory bodies who are both subject to the Acts themselves and also fulfil a regulatory/inspection role, and
- charities and voluntary organisations.

Separate interview topic guides were developed for each respondent group. Parliamentarians and the Scottish Government were asked to comment on the initial intent of the socio-economic requirements, as well as any intended impact on stakeholder groups and expectations for what would be achieved. The Scottish Government, public bodies subject to the Acts and regulatory bodies also subject to the Acts were asked to outline their team arrangements for administering the socio-economic requirements, how the requirements had impacted on their work, any positive outcomes and challenges, and to detail any reporting and regulatory inspections that have been conducted so far. Those with regulatory duties were also asked to outline any preparation and/or training that was undertaken ahead of the relevant Act(s), what impact the socio-economic requirements have had on this aspect of their work, and what monitoring requirements exist, as well as any relevant comments from their inspection work.

The EHRC issued initial introductory emails to all those organisations listed on the contact database. This was followed up by a combination of telephone and email contact from the research team in order to identify suitable people within organisations, to invite them to contribute to the work, and to make arrangements for their participation. Although in some cases the contact database provided named contacts, the majority of organisations consisted of either general email addresses and telephone numbers, or contact details for the Chief Executive. In these cases additional contact and time was required in order to reach the most appropriate person within the organisation.

In the main, telephone interviews were conducted with respondents, with these lasting around 30 minutes for parliamentarians and public bodies subject to the Acts and
between 30-45 minutes for the Scottish Government and regulatory organisations. In order to facilitate wider participation however, an online response form was also developed for public bodies subject to the Acts which was circulated to those organisations that requested it, and organisations were also able to complete their responses directly onto the topic guide and return this via email. It was considered important to provide a range of response options to allow respondents to liaise with, and gather information from other colleagues where necessary, and to boost participation given both the tight timescales required for the work and the timing of the work (that is, in the final few months of the financial year which is typically a busy period for public bodies).

**Sample profile**

The work was conducted under two main strands, consisting of a survey with public bodies that are subject to the Acts, and interviews with all other stakeholder groups.

A total of 63 public bodies subject to the Acts provided a response. This consisted of 40 telephone interviews, five who provided a written response via email, and a further 18 who completed an online survey form. It should be noted that several local authority departments were invited to participate (including both Community Planning Partnerships and Education Authorities). Some departments provided combined responses and so these have been counted here as a single response (although information was provided about more than one department), while others responded separately and so they have been counted separately here.

In relation to the other stakeholder interviews, the following numbers of respondents participated from each category:

- four Parliamentarians
- four representatives from the Scottish Government, and
- one respondent from the charity and voluntary sector.

In addition, two public bodies with regulatory roles also participated. They responded to questions both related to the impact on the organisation as being subject to the Acts themselves (and so are also included in the numbers outlined above) as well as around the impact on their regulatory work.
Reporting caveats

As the data gathered is qualitative in nature, responses represent the experiences of those involved in the research only, and so results do not necessarily provide a more generalisable view of impacts. However, a large number of organisations did respond to the research, covering a range of sectors, organisation size, and geographic coverage, and so some confidence can be assumed around how widely applicable the results are.

Difficulties were experienced in identifying teams and individuals within the Scottish Government who were either impacted by or had responsibility for the socio-economic requirements of the four Acts. This was further compounded by a perception among some contacts that officers were not permitted to take part in research. In addition, challenges were experienced in relation to the more recent Acts as much of the work is at an early stage in terms of implementation and so contacts were unable to contribute. It was also noted that due to the common practice of staff movement between posts and directorates, it was difficult to identify individuals that were still in post and who could discuss the Children and Young People (Scotland) Act 2014.

In some instances, respondents within the Further and Higher Education sector also found it difficult to comment or answer questions. They noted that, as they generally focus on adults and not children, few of the Acts were directly applicable to them, other than perhaps in relation to the Corporate Parenting aspect of the Children and Young People (Scotland) Act 2014. They noted that the Post-16 Education (Scotland) Act 2013 was more relevant to them, but was not considered by this research. However, they considered this also tackled socio-economic factors via its requirements for widening access, and therefore indicated that they were active in this area, but not necessarily as a direct result of the four Acts providing the focus of this research.

In a few instances, some organisations/contacts were unable to participate as they did not feel they were subject to and/or impacted by any of the four Acts or the socio-economic requirements they contain.

Finally, a few public bodies also indicated that they had been approached in relation to other EHRC research around the same time as this project was being conducted. For some, this resulted in respondent fatigue and refusal to contribute to this research, some dismissed the initial contact in relation to this project assuming it was linked to, or was a reminder for the other EHRC research they had been asked to contribute to, although some were still happy to participate. While sufficient respondent numbers were achieved, it is worth noting that this may have had a wider impact on response rates.
Report Structure

This report sets out the key findings from the interviews with Parliamentarians, the Scottish Government, public bodies subject to the four Acts, regulatory bodies, and charity and voluntary sector organisations. The remainder of the report is structured as outlined below:

- Chapter 2 details the intent behind the socio-economic requirements, and outlines the expected impacts
- Chapter 3 discusses the implementation and impact of the socio-economic requirements
- Chapter 4 considers how well progress meets the initial expectations, as well as outlining challenges faced and suggested changes for the legislation, and
- Chapter 5 provides conclusions in relation to the key findings.
Intent of the socio-economic requirements

Introduction

The four parliamentarians and three Scottish Government representatives provided background information about the Acts relevant to this research. Specifically, they were able to discuss the intent and expectations behind the Children and Young People (Scotland) Act 2014, the Community Empowerment (Scotland) Act 2015, and the Child Poverty (Scotland) Act 2017. No respondent could be sourced to discuss the initial intent and expectations for the Education (Scotland) Act 2016 however. The four Acts had been identified by the Scottish Government as including requirements that are particularly linked to the Fairer Scotland Duty.\(^6\)

Overview of the socio-economic requirements

The Children and Young People (Scotland) Act 2014 is not explicit in terms of the socio-economic responsibilities, indeed the term ‘socio-economic’ does not appear within the wording of the Act. However, it does have some socio-economic intentions and implications. The Act imposes a requirement for local authorities and health boards to prepare, review, and report on progress of their Children’s Services Plan with the aim of safeguarding, supporting and promoting the wellbeing of children. Children’s Services Plans also need to reflect national outcomes set by Scottish Ministers, including the Child Poverty Strategy.

The Community Empowerment (Scotland) Act 2015 is more explicit in the inclusion of socio-economic considerations, and includes references/requirements throughout the Act. In particular, it sets out that inequality linked to socio-economic disadvantage should be a focus for Local Outcome Improvement Plans and Locality Plans prepared by Community Planning Partnerships (Part 2), and that this should be a consideration (among other factors) when public bodies are deciding the outcome of Participation Requests (Part 3) and Asset Transfer Requests (Part 5). The Act also contains requirements for Scottish Ministers (Part 1); they must determine national outcomes and have regard to the reduction of inequalities of

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outcome which result from socio-economic disadvantage. They must also publish regular reports on the progress toward these outcomes, and review the national outcomes at least every five years.

The Education (Scotland) Act 2016 also makes explicit provision for socio-economic requirements, setting out duties for both Scottish Ministers and education authorities. For Scottish Ministers, the Act states that they must, when exercising their powers relating to school education, have due regard to the need to exercise the powers in a way that is designed to reduce inequalities of outcome for pupils who experience those inequalities as a result of socio-economic disadvantage. Similarly, for education authorities, there is an equal ‘due regard’ duty placed on them when taking strategic decisions and/or when considering steps to implement such decisions. Both Scottish Ministers and education authorities must also publish an annual plan to reduce inequalities. Further, the Act introduces the National Improvement Framework (NIF) which must be reviewed each year.

Finally, the Child Poverty (Scotland) Act 2017 sets targets relating to the eradication of child poverty in Scotland and thereby aims to address an important aspect of the socio-economic disadvantage faced by children across Scotland. It requires the Scottish Government to develop three Delivery Plans (each covering different timescales), and report annually on progress against these plans. It also requires local authorities and health boards to jointly prepare annual Local Child Poverty Action Reports to review progress made over the past year and outline proposals for activities in the coming year.

**Intent of the socio-economic requirements**

Common across all four Acts, parliamentarians and Scottish Government respondents considered that the overall intent of the socio-economic requirements was to force the consideration of socio-economic issues and impacts within the delivery of policy, to embed a rights based approach in legislation and policy, and to improve the situation for those experiencing socio-economic disadvantage:

I think the intent in both the Education Act and the Children and Young People’s Act was to try and force socio-economic considerations within the delivery of policy. (Parliamentarian).
It was considered beneficial by some (including parliamentarians, the Scottish Government, and public bodies alike) to include socio-economic requirements across various legislation to help promote and reinforce the Government’s intention to tackle such issues. It was felt that including socio-economic requirements across various legislation helped to reinforce the direction of travel that the Government wished to set for public bodies (and the country at large) and provided greater focus on trying to address socio-economic inequalities:

That has been a direction of travel for the Scottish Government for quite some time now, it has been signposted in numerous programmes for Government over the last number of years. There has been much more of a focus on trying to address inequalities. (Scottish Government).

**Children and Young People (Scotland) Act 2014**

When considering the Children and Young People (Scotland) Act 2014 specifically, one parliamentarian noted that the socio-economic requirements spoke to the wider narrative of the Act. They considered that the thinking was focused much more on wellbeing rather than welfare, which up until this point had been the focus of much legislation, policy, and activities:

Welfare considerations have a much higher threshold test than wellbeing. When you think about welfare you think about abuse, neglect, and coercive control. However, the Act was more focused on the wellbeing of children which is far more to do with socio-economic factors. (Parliamentarian).

This shift towards focusing on wellbeing rather than welfare was considered to be ‘where the socio-economic responsibilities came from’. It was also highlighted that the socio-economic requirements were linked to the Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included (SHANARRI) wellbeing
indicators\textsuperscript{7}; in particular, the Inclusion element of the SHANARRI indicators were connected with child poverty and socio-economic factors.

Another parliamentarian felt that the Act and its socio-economic requirements intended to provide greater security and improved life chances for children and young people who were particularly vulnerable, such as care experienced young people.

Further, it was noted that the Children and Young People (Scotland) Act 2014 was developed at a time when research was increasingly discussing in-work poverty and highlighting that child poverty was not restricted only to those with unemployed parents, but rather, was more widespread than previously thought. Also, it was being increasingly recognised that aspects of poverty are different from area to area, all informing thinking at the time.

**Community Empowerment (Scotland) Act 2015**

In relation to the Community Empowerment (Scotland) Act 2015, two representatives from the Scottish Government were able to comment on the intentions behind this. They discussed Parts 2, 3 and 5 specifically, and noted that the inclusion of socio-economic requirements were intended to ensure that public bodies took socio-economic considerations into account (along with other factors) when setting priorities and making decisions.

Part 2 of the Act sets out the need for Community Planning Partnerships to develop Local Outcome Improvement Plans (LOIPs) and Locality Plans, where tackling inequalities is a specific focus. It was noted that the requirements within this part of the Act were not designed to be prescriptive and do not identify target areas to be addressed (for example health, justice, education, transport, economic growth, etc.), but rather they allow flexibility for local solutions to be developed and targeted at local issues, while ensuring that socio-economic factors are considered and prioritised:

You’re there to improve outcomes, that’s the purpose of Community Planning Partnerships, to improve outcomes for the people that live in that area. So we’re saying to tackle that through the prism of reducing inequalities that result from socio-economic disadvantage. So recognising that in a complex world with multiple demands and multiple requirements and finite resources

\textsuperscript{7} More information about these wellbeing indicators can be found at: [http://www.gov.scot/Topics/People/Young-People/gettingitrighwellbeing](http://www.gov.scot/Topics/People/Young-People/gettingitrighwellbeing)
They also considered that this part of the Act was developed to be pragmatic (by including that Community Planning Partnerships must consider socio-economic inequalities ‘unless the partnership considers that it would be inappropriate to do so’), recognising that developments which may not have an immediate or direct link to socio-economic inequality reduction should not necessarily be dismissed as they may still be beneficial for a community and/or have longer-term and indirect/knock-on benefits in relation to socio-economic issues.

Parts 3 and 5 were designed to impose formal processes for both Asset Transfer and Participation Requests which must be followed by both the public body and the community group. For both processes there was intended to be a presumption of agreement, while the process was intended to improve outcomes for local communities and ensure that certain criteria was considered. This criteria included economic development, regeneration, public health, social wellbeing, environmental wellbeing, and reducing inequalities of outcome that result from socio-economic disadvantage.

The list of criteria was not intended to be exhaustive, but rather illustrative. It was also noted that any new development would not necessarily need to be beneficial for all listed criteria in order to be approved, but rather the intention was for the public body to consider the benefits/impacts against each before reaching a decision. However, it was felt that by including socio-economic considerations specifically within the Act this helped to prioritise this consideration:

you must therefore take decisions and prioritise what it is that you’re going to do, and what we’re saying is that you should do that through that prism of inequality. (Scottish Government).

Child Poverty (Scotland) Act 2017

One Scottish Government representative was able to discuss the background to the Child Poverty (Scotland) Act 2017. They noted that the rationale was Ministers’ concern over the repeal of the UK Child Poverty Act 2010 which took place in 2015.
Scottish Ministers had been fully committed to the aims of the Child Poverty Act 2010 and felt that the strategic framework and targets offered were very helpful in terms of driving action forward. As such, there was a desire to consider a Scottish response to the repeal, and it was decided that Scottish targets established in legislation would provide a positive step.

As such, the Child Poverty (Scotland) Act 2017 set out a number of specific national level targets to tackle and reduce child poverty by 2030. The targets are considered to be very ambitious, and while they mirror those from the UK Child Poverty Act 2010 the Scottish targets are set on an ‘after housing costs’ basis and so it was felt these will be more challenging to achieve:

The intent behind the legislation is to reduce child poverty, so that means to try and ensure, wherever possible, that children are living in households where incomes are not below 60% of the median UK income, and to try and bring about a fairer society, and to ensure as far as possible, that when poverty is experienced, for example during a period of parental unemployment, that this is a shorter period of poverty which is less painful and less deep. (Scottish Government).

### Clarity of intent

Most (n=51) public bodies subject to the Acts felt that the intent of the socio-economic requirements were clear to them. However, some did note that while it was clear to the respondent themselves, they were not always confident that no confusion existed among other colleagues.

Some (n=11) public bodies subject to the Acts did, however, indicate that they felt there was some lack of clarity around the socio-economic requirements. In some cases, these respondents felt that more guidance was required for public bodies, and some suggested that examples of socio-economic benefit would be helpful.

Some organisations also found it difficult to identify their specific responsibilities within the Acts. In particular, it was noted that the Children and Young People (Scotland) Act 2014 was not particularly explicit in relation to socio-economic intent or responsibilities. Further, organisations that were not delivering services directly to young people or the wider public often found it challenging to identify what their roles and responsibilities were in terms of socio-economic requirements specifically, and often in relation to other aspects of the Acts.
One respondent also highlighted the need to ‘island-proof’ the legislation:

We would like to add in 'island-proofing' our communities, as per the Islands (Scotland) Bill, to ensure our island communities are incorporated in terms of a duty of wellbeing and socio-economic duty. (Community Planning Partnership).

Other specific comments around clarity included confusion in the Community Empowerment (Scotland) Act 2015 regarding whether bodies are required to approach communities and the extent of work that would be expected:

The requirements [in the Community Empowerment (Scotland) Act 2015] are largely clear, but sometimes it is hard to know if the impetus is for communities to get in touch with us or if we should be getting in touch with them, and how much we should be doing. Many of the issues raised by the communities and their requests are already being done. (Regional Transport Partnership).

One other respondent highlighted limitations on the interpretation of poverty imposed by the Children and Young People (Scotland) Act 2014:

The Children and Young People (Scotland) Act 2014 focuses on care experienced young people, but not all SIMD 5-20 kids are care experienced young people, even though they live in poverty. The Act is very specific, but one in three young people in the area are living in poverty and this is not picked up by the Act. (Further and Higher Education sector).

**Intended impact on stakeholders**

Parliamentarians and Scottish Government officials were asked to outline the intended impact of the socio-economic requirements on various stakeholder groups, including:

- the Scottish Government
- local authorities and other public bodies
- any other relevant bodies, and
- the public.
Two parliamentarians spoke more generally about all four Acts. One noted that the intended impact for both the Scottish Government and local authorities/public bodies was to impose a formal requirement to assess the socio-economic impacts of policies and strategies:

There’s an attempt in some of that legislation to impose a kind of discipline on this and subsequent governments to take account of socio-economic impact of their policies in a way in which they perhaps haven’t been required to do in the past. This doesn’t mean they’ve never done it, but they wouldn’t have been required to do it. So I suppose it’s a parallel with the requirement to do equality impact assessment on policy. (Parliamentarian).

One parliamentarian also considered that the Acts had intended impacts for certain target groups within society and aimed to improve their situation:

With the Children and Young People Act there was the intention that there would be some socio-economic benefit to children, and for the Community Empowerment Act there would be benefits to communities, and so on. I think the intention was to improve the situation for those beneficiaries of the legislation, but I suppose what legislation can sometimes end up doing is having a requirement to note the impact rather than to mitigate it. So if you use the example of equalities… that’s designed to improve equalities but the danger is what you end up doing is providing an obligation to report on equalities without necessarily improving them. But that’s not the intention, the intention is the improvement. (Parliamentarian).

The other parliamentarian noted that all four Acts intended to provide greater openness, transparency and accessibility of services for the public:

I think they should all hopefully have some impact with regards to public life. It’s about helping individuals to access things easier. I think for the public it’s meant to be a more open and transparent system, and I think all four [Acts] have been set up in that way. (Parliamentarian).
Children and Young People (Scotland) Act 2014

Two parliamentarians were able to comment specifically on the Children and Young People (Scotland) Act 2014, and noted that the intended impact for the Scottish Government was to allow them to get closer to their ambition of making Scotland the best place in the world to grow up. In order to achieve this aim, it was considered necessary to improve the situation of every child and not to simply continue focusing on welfare issues. It was important that every young person should have the same opportunities regardless of their background or situation.

For local authorities and public bodies, the Act was seen as a way of ensuring that getting it right for every child (GIRFEC)\(^8\) was given a statutory footing and for it to be applied consistently across all local authorities. It was intended to encourage local authorities and other public bodies to take the rights of the child seriously. In terms of the socio-economic requirements specifically, it was thought that the intent was to:

![Have a much better way of capturing and identifying young people who were at risk to their wellbeing as a result of socio-economic factors. (Parliamentarian).]

It was also noted that there were responsibilities on a great number of organisations, bodies and people who were identified as ‘Corporate Parents’. Although this was aimed more towards tackling the care experience of children and young people, it was noted that this still incorporated an element of socio-economic considerations:

![Obviously there are socio-economic factors about life outcomes for care leavers and people of care experience and the support that they can access. So there were some socio-economic levers within that as well. (Parliamentarian).]

Finally, in terms of the public, it was noted that the intended impact was to provide equality for all children, and that support could be better targeted towards those in need meaning they should have better outcomes.

Community Empowerment (Scotland) Act 2015

Two Scottish Government representatives discussed the Community Empowerment (Scotland) Act 2015 and indicated that the intended impact on the Government was

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\(^8\) Getting it right for every child (GIRFEC) is the Scottish national approach aimed at improving outcomes and aiding the wellbeing of children and young people.
to make it clear, in the wider policy sense, that they believe that reducing inequalities of outcomes and reducing socio-economic disparities is a key focus.

The one parliamentarian who discussed the intended impacts of the Community Empowerment (Scotland) Act 2015 outlined the impact on the Scottish Government as an obligation to consider community participation and asset transfers:

The Community Empowerment Act is an interesting one in that it gives an obligation for Scottish Government to look at schemes which communities could take over… But I’m not sure yet that this is working particularly well, or as it’s meant to be working… I think communities are engaging, but I think how the Scottish Government are responding to communities is not what I think many people expected. (Parliamentarian).

Similarly, the intended impacts on local authorities and other public bodies were considered, by the Scottish Government respondents, to be to encourage them to have a greater focus on socio-economic inequality across the scope of their work. They noted that the intended impact of Part 2 was to ensure that Community Planning Partnerships prioritised socio-economic disparities when considering strategic planning both at the local authority level and at a local community level, and also to consider socio-economic impacts (alongside other criteria) when taking decisions in relation to Participation Requests and Asset Transfer Requests (Parts 3 and 5).

One parliamentarian also considered the intended impacts of the Act to again be greater consideration of and engagement with local communities:

I think it was for local authorities to engage better with local communities when they, or other public bodies, are selling off assets. (Parliamentarian).

Other organisations were also identified as being potentially impacted by the Community Empowerment (Scotland) Act 2015, including Community Councils, certain charity and voluntary organisations, and local community groups. It was noted that the Act was intended to provide them with a more straightforward and/or structured way for them to engage:
Child Poverty (Scotland) Act 2017

In relation to the intended impact of the Child Poverty (Scotland) Act 2017 on the Scottish Government, the Scottish Government respondent indicated that they are required to produce three National Delivery Plans before 2030. It was noted that these can be used to bring about actions to help increase parental incomes and/or reduce living costs in order to assist in tackling the relative poverty headline figure and the other targets. It was felt that, to meaningfully tackle child poverty will mean doing things significantly differently, and making different choices going forward. In addition to the National Delivery Plans, the Scottish Government also plans to report progress annually.

Similarly, one parliamentarian who also commented on the Child Poverty (Scotland) Act 2017 specifically noted that this Act required the Scottish Government to set targets related to poverty levels, report on progress, and to consider wider policy and implementation methods which could impact upon and/or help to meet these targets:

It put particular responsibilities on them [the Scottish Government] to set targets, to show what is happening, and to do some more joined up thinking. (Parliamentarian).

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9 Although these will be prepared by the Scottish Government, the Poverty and Inequality Commission has been asked by Ministers to provide advice on possible issues to be considered within the first National Delivery Plan.
For local authorities and health boards, the Scottish Government respondent highlighted that annual reporting (from 2019) is required to review actions and progress around child poverty levels and the specific targets over the previous year, and to provide future plans and projections. It was acknowledged that reporting could be conducted flexibly however, with it being possible to conduct this within the Community Planning Partnership context, thus linking with the Community Empowerment Act duties. Targets were considered to be very ambitious, and in order for these to be successful at the national level, it was suggested that there will need to be significant improvements in child poverty across most local authorities.

In addition, the parliamentarian felt that the intended impact on local authorities and other public bodies was to encourage them to engage more with those who have lived experience of poverty and to take a more individual approach to tackling the issues:

> I think it was to get the local authorities and other public bodies to engage with people and to try to look at individuals rather than simply saying because you live in a certain area or come from a certain postcode or whatever, but rather to make it more individualistic. (Parliamentarian).

In relation to the intended impact on the public, the Scottish Government respondent noted that the intent of the Act is to reduce child poverty. While they acknowledged that it will be impossible to eliminate this entirely, the intent is to minimise the extent and time period for which it might be experienced.

**Expectations regarding impact**

Parliamentarians were asked to outline their expectations regarding the impact which the socio-economic requirements would achieve. One respondent noted that embedding socio-economic responsibilities within legislation generally was the right approach, they highlighted the risk of not also implementing appropriate levels of scrutiny:
I think it’s right to do it, I certainly supported the approach of embedding socio-economic rights within the legislation. But I think the experience has been that there’s a gap between putting those kinds of rights on the statute book and seeing them actually implemented in reality. So I suppose my expectations were that if all we did was pass the legislation it wouldn’t have the desired effect so it requires following through… Generally, the mechanisms are reporting mechanisms and I think that’s fine, but I suppose the problem with it is that sometimes those become mechanisms simply to report the problem rather than address it. (Parliamentarian).

Others focused on the expectations for individual Acts, with two parliamentarians noting that the Children and Young People (Scotland) Act 2014 raised the age of leaving care from 16 to 21. Both indicated that they expected this to have a considerable impact upon these vulnerable young people:

The biggest impact which I still feel very proud of, we managed to get the government to change the age of leaving care from 16 to 21, that’s going to have a seismic impact and help many many thousands of children. (Parliamentarian).

It was expected that the legislation would assist care experienced young people to have stable accommodation, stability of carers, better health and mental health, be able to continue in education, and foster greater hopes and expectations for these young people.

However, one parliamentarian also noted that, despite expecting this age limit rise to apply to all care experienced young people, there was a cap introduced - it was only available to those born after 1999. Therefore, expectations regarding impact were constrained somewhat from the outset.

In relation to the Community Empowerment (Scotland) Act 2015, two Scottish Government respondents indicated that this Act had limited expectations to some extent in relation to socio-economic impact. In relation to Parts 3 and 5 in particular, that is Participation Requests and Asset Transfer Requests, the expectation was simply that public bodies would consider socio-economic implications within the wider context and alongside other criteria.
Expectations were slightly higher in relation to Part 2, where Community Planning Partnerships had to develop a Local Outcomes Improvement Plan and Locality Plans which were focused upon reducing inequalities driven by socio-economic disadvantage. However, they noted that while this provided a means to address issues and to develop local actions, it did not provide a panacea solution and that by prioritising a limited number of localities this would inevitably miss socio-economic issues in others:

This Scottish Government respondent also noted that the Act was trying to move public bodies away from a prescriptive ‘tick-box exercise’, and to consider what is best for the people who actually live there, and for these considerations and actions to be driven by the communities themselves.

One parliamentarian, however, felt that their expectations to see increasing numbers of asset transfers had not been met. They noted that they had not seen the number/level of community purchases of local assets that they had expected, but they confirmed that there has been no work done to understand the reasons for this:

Meanwhile, in relation to the Child Poverty (Scotland) Act 2017, it was considered too early to identify and discuss expectations around the impact that can be achieved.
Impact of the socio-economic requirements

Team arrangements

Respondents from public bodies that are subject to the four Acts were asked to outline their team arrangements for administering the socio-economic requirements.

Team arrangements varied considerably. Some public bodies identified one individual who had responsibility for co-ordinating socio-economic strategy, policy and activities, while others identified a team where this responsibility sat. Where teams existed, these varied in size, generally depending upon the size and structure of the public body, from around two or three staff up to around 16 staff. In some organisations with a national remit but local office presence, dedicated teams were occasionally identified on a location specific basis. It should be noted however, that even when a dedicated team was identified, some respondents did stress that all staff within the organisation/department had a responsibility to consider socio-economic requirements and impacts within their work:

> Whilst we have a dedicated team, everyone across the organisation requires to consider equality impacts and socio-economic impacts on their work and procedures in relation to the wider community, for example access to housing, education, prisoners, offenders, etc. (Health Board).

Most (n=42) public bodies interviewed however, indicated that responsibility for socio-economic requirements was dispersed between a number of staff and/or teams who also had other responsibilities.

This would suggest that no standard models have been adopted for the implementation and delivery of socio-economic requirements either within or between sectors. Indeed, when making initial contact with public bodies and relevant departments, there was no job role/title identified consistently as being the most appropriate to contribute to the research, each organisation appeared to
structure responsibility for the implementation of the socio-economic requirements in different ways.

**Guidance and training provision**

Various statutory and non-statutory guidance documents are available to public bodies to support them in delivering the Children and Young People (Scotland) Act 2014 and the Community Empowerment (Scotland) Act 2015, including:

- Children and Young People (Scotland) Act 2014: Statutory Guidance on Part 3: Children’s Services Planning\(^{11}\)
- Children and Young People (Scotland) Act 2014: Revised Draft Statutory Guidance for Parts 4, 5 and 18 (Section 96)\(^{12}\)
- Community Empowerment (Scotland) Act 2015: Part 2 Community Planning Guidance\(^{13}\)
- Participation Requests under the Community Empowerment (Scotland) Act 2015: Guidance\(^{14}\), and
- Asset Transfer under the Community Empowerment (Scotland) Act 2015: Guidance for Relevant Authorities\(^{15}\).

Guidance was also being prepared for the Child Poverty (Scotland) Act 2017, but at the time of writing this had not been published.

Public bodies subject to the Acts were not asked to comment on any guidance documents specifically, however, the few respondents that did mention these within their responses indicated that they had found them helpful.

In addition to the various guidance documents available, Scottish Government respondents indicated that they would provide support and advice on any parts of

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the relevant Acts as required. This would be dealt with on an individual basis, as and when they were approached for such advice by a partner organisation.

It was also indicated by a Scottish Government respondent that the Government was considering how best to provide support and/or financial resources to local authorities to help them meet their duties under the Child Poverty (Scotland) Act 2017 and the Fairer Scotland Duty.

Impact

The impact of the existing socio-economic requirements on the work of public bodies was varied. Some organisations indicated that they were already focused on socio-economic issues and addressing poverty, and so felt they were largely prepared and already doing much of the work required. For these respondents, they felt that the impacts focused on providing a formal framework, aligning partners’ priorities, and providing greater opportunities for partnership working and increased opportunities for some organisations to provide support to partners:

I think we were well ahead of the game… What we do hasn't changed, but it does open doors for us in terms of the support that we provide to develop strategies on health inequalities, it's been very helpful. (Health Board).

In terms of the Community Empowerment (Scotland) Act, [we] have been a participant across the country since the beginning. As such there has not been a lot of differences as we were engaging anyway. It has however, given more formality and structure to the process across the country. It provides more of a platform for us to be involved. We now attend more meetings and have more productive engagement, both with our partners and with wider community groups and populations. (Other public body).

Changes to Policy, Procedures or Working Practices

For other public bodies much greater impacts were noted. Some indicated that the Acts and associated socio-economic requirements had resulted in the organisation having to refocus their strategic direction:

The duties contained within the Community Empowerment Act have refocused the work of the Community Planning Partnership onto addressing socio-economic inequality. (Local Authority).
Some organisations stated they had to update or prepare new policies, procedures and/or working practices. In some cases, new documents were created to directly address the requirements (such as the Local Outcome Improvement Plan (LOIP) required by the Community Empowerment (Scotland) Act 2015), while existing documents were also revised in order to provide greater focus on socio-economic issues and activities, and to reflect the new requirements in the overall agenda:

The [name of report] includes an assessment framework across all the wellbeing indicators. This assessment of wellbeing is integral to all planning for children and young people and shapes how services are delivered. This assessment approach was not a result of the 2014 Act but recent amendments to the practice model have reflected the duties within the Act. (Local Authority).

Other impacts that were reported included the need for greater joint working, data sharing and strategy development both internally between departments, and externally with other partners. In some cases, this also required the development of additional training materials:


The Children’s Services Plan is written in a way that each of the actions/measures is cross referenced with the [Local Outcome Improvement Plan] tackling poverty themes. Additionally, each action/measure where relevant has a specific reference to the tackling poverty agenda. (Local Authority).

Others detailed more specific impacts and actions that had been taken as a result:

The Council and its community planning partners set reducing inequalities in learning, health and economic circumstances at the heart of the Local Outcome Improvement Plan before the socio-economic duty was launched. The Getting It Right For Every Child Board and the Improving Opportunities Partnership jointly established a child poverty multi-agency group, with a resulting strategy and action plan. Actions are now being implemented; including poverty proofing the school day, food bank referral systems, grant aid
A specific impact cited as a result of the Children and Young People (Scotland) Act 2014 was the need to prepare a Corporate Parent Plan. This was particularly referenced by the Further and Higher Education sector and some organisations that do not provide a public facing service. While this was not a new requirement for some, it was new to others and required time and work to fully understand their role and responsibilities ahead of developing their Plan.

Meanwhile, specific impacts cited as a result of the Community Empowerment (Scotland) Act 2015 included the development of formal plans and procedures, such as the Local Outcome Improvement Plan and Locality Plans, procedures for Asset Transfer Requests and Participation Requests, and arrangements for Participatory Budgeting, as well as adapting engagement methods in order to target harder-to-reach groups in the community. This included attending supermarkets, local events and services to engage with those that would be less likely to attend a public meeting, and holding meetings at the end of the school day to engage with young people.

**Changes in Data Use**

It was also highlighted that there has been a change in the use of data by some public bodies. In particular, some more rural based public bodies noted that national statistics did not represent their perspective, and many noted that the SIMD data had limited application as it was not localised enough, and often hid pockets of
deprivation and socio-economic disadvantage. Therefore, this has to be supplemented by local knowledge, information and statistics.

Many public bodies indicated that they now disaggregate data further, and consider locality level information. Some are also trying to map socio-economic deprivation across their area in order to identify priority areas. For some areas however, particularly rural and sparsely populated areas, this becomes challenging as it risks identifying individuals.

**Changes in Equality Impact Assessments**

There were mixed statements around any adaptations to the format of Equality Impact Assessments (EIQAs). Some respondents noted that their EqIAs had always taken account of socio-economic disadvantage, others noted that their EqIAs had been amended recently to consider this, while others stated their EqIAs only considered impacts on protected characteristics stated in the Equality Act 2010.

**Positive outcomes**

All public bodies subject to the existing legislation were asked to identify any positive outcomes that had been noted so far from using the socio-economic requirements.

A number of respondents stated that it was still too early to identify outcomes, and that outcomes in relation to poverty levels would only be identifiable in the long-term. However, some also noted that the Acts had encouraged public bodies to focus on poverty, inequality and community empowerment to a greater extent.

A wide range of other, more immediate and short-term positive outcomes were identified. These included positive actions, impacts and outcomes in relation to working practices, partnership working, attainment rates and support for vulnerable children and young people, and communities becoming more involved.

Comments highlighting positive impacts and outcomes in relation to working practices included:

- different ways of allocating funding
- objectives now being embedded within public bodies’ plans
- ‘the Acts give credibility to what we do for Elected Members’
- has helped to identify priority areas
• raising awareness of the legislation as well as inequalities and poverty, encouraging conversations about the issues and allowing these to be more targeted and focused, and
• ensuring that socio-economic requirements are factored into considerations around planning activity, policy development, and working practices, including the creation of new policies which focus on consulting with people and listening to those who are experiencing poverty or deprivation.

Comments highlighting positive impacts and outcomes in relation to partnership working included:
• improved information sharing and collaborative working, all partners are bound by the same aims, requirements and desired outcomes
• has offered opportunities to be more creative in partnerships and allowed links to be made with new partner organisations to help them achieve their responsibilities, and
• partnership working helps to open up links between communities and health care, education, services, etc.

Comments highlighting positive impacts and outcomes in relation to improvements in educational attainment rates and support for vulnerable children and young people included:
• educational attainment rates improving (although it was noted that this may not be significant enough to show in the statistics)
• new literacy programmes in some areas
• additional staffing in some schools, with Principal Teachers and other dedicated staff responsible for poverty and raising attainment
• schools now look more deeply at children's situations and aspirations than before, the need to focus on a child’s situation has filtered down to classrooms and teachers, it is no longer just a policy issue at Government or local authority level
• young people are becoming more confident within further and higher education, realising there is help available and there is no stigma attached, they can access learning support etc. and really improve
• helped to promote services and support for care experienced young people, and
• reduction in teenage pregnancy rates in targeted areas.
Finally, comments highlighting positive impacts and outcomes in relation to communities becoming more empowered and involved included:

- communities and individuals have more confidence and are getting more involved as a result of the Community Empowerment Act, local communities are increasingly involved in taking/driving local decisions
- the flow of information is becoming more ‘bottom-up’, and
- this has led to many positive outcomes, as issues can be raised and solutions or plans of work identified.

However, it should be noted that some of the stated outcomes were largely attributed to work that was already ongoing within some public bodies and/or areas, and were not always considered to be a direct result of the Acts.

**Reporting, monitoring and evaluation, and regulation**

**Reporting**

Public bodies subject to the various Acts were asked to detail any progress reporting that had been undertaken.

Twenty-nine public bodies indicated that they had not reported progress, with a further 10 saying they did not know. Meanwhile, 22 public bodies indicated they had reported progress, however, a wide range of reports and methods were cited as the conduit for this.

Reporting methods to date included those initial documents required by the legislation, such as the Children’s Services Plan, the Corporate Patenting Plan, the LOIP and Locality Plans, etc. While some form of progress reporting is required against each of these, in most cases only the initial Plans have been completed/published to date with progress reports not yet due.

Due to the lack of formal progress reporting undertaken so far, additional progress reporting mechanisms outlined included reports to the Scottish Government (although no consistency was identified in the nature of such reporting between organisations), reporting to organisation’s and partner’s Boards, sub-committees and/or working groups at regular intervals (both verbally and via written papers), Annual Reports, Financial Accounts, completed Asset Transfer Requests and Participation Requests to be hosted online, and Standards and Quality Reports. It was also noted that in many cases, while the reporting may include socio-economic
content it is not typically focused on these requirements alone, but rather on wider requirements, activities and progress.

The extent and nature of the reporting undertaken so far was very mixed, however, this could have been a result of formal progress reports not yet being due, completed and/or published. It is therefore difficult to say how effective the progress reporting will be over time and what outcomes will be delivered. For the time being, it is difficult to establish the levels of progress reporting currently going on as this is being managed internally in different ways, and the level and nature of socio-economic considerations and/or progress being reported is not clear.

As a result, discussion of outcomes or progress resulting from reporting was sparse, but included raising awareness of inequalities, poverty, and Corporate Parenting responsibilities, helping to shape Locality Plans, and determining where resources and budgets needed to be directed:

> We report trends across our area, and the Community Empowerment Act requires us to act upon the trends, rather than simply noting them. (Regional Transport Partnership).

**Monitoring and Evaluation**

Parliamentarians and regulatory bodies were asked if any formal monitoring requirements existed for public bodies in relation to the socio-economic requirements, while Scottish Government respondents were asked if there had been any evaluation work conducted to review the effectiveness of either the guidance documents or the socio-economic requirements. Respondents were not aware of any legal framework for the Government to conduct such monitoring in this respect and confirmed that no such evaluations had taken place to date.

However, it was noted by Scottish Government respondents that, following the publication of progress reports in the required legislative areas, the Scottish Government intends to conduct a review of these. As the progress reporting stage had not been reached yet, it was considered too early for any monitoring or evaluation work to have been undertaken.

As with progress reporting, it is difficult to say what the final monitoring and/or evaluation framework will look like at this stage, and to what extent this will focus upon the socio-economic requirements given that in much of these four pieces of legislation this is only one component within larger agendas and other considerations. Without clear direction from the Government or the legislation itself,
and with no detail around the content of the monitoring or evaluation framework available in advance, it is likely that the first instalment of progress reporting will vary significantly in terms of content and the extent to which the focus of reporting will be on socio-economic progress/outcomes compared to the other elements of the four Acts. This is not to say that socio-economic progress will not have been made, but rather may be down to presentational differences and reporting priorities. However, this may make it difficult to measure progress consistently and identify any gaps or priority areas.

**Regulatory Inspections**

No dedicated regulatory bodies were identified in the course of the research that were responsible for regulating public bodies’ implementation of the socio-economic requirements specifically within the four Acts. It was confirmed by Scottish Government respondents and parliamentarians that there had been no intentions at the outset to formally regulate these elements of the various Acts:

> I suppose for the education measures there would be some responsibility on Education Scotland and the inspection service there… I don’t think any of the Acts set up new regulatory bodies so it was more about expanding the purview of the existing regulators. (Parliamentarian).

This was largely confirmed by the responses of the regulatory bodies themselves. Of the three regulatory bodies that responded to the research, one indicated that ‘none of the socio-economic requirements in these four Acts are relevant to’ them and so they did not participate in an interview. Another (who did take part in an interview) also confirmed that they had no direct regulatory responsibility for the socio-economic requirements within the Acts, although they noted that they may indeed identify issues which had a socio-economic element as a consequence of fulfilling their main remit, and would seek to tackle such issues as relevant to their specific regulatory powers.

The remaining regulatory body that responded to the research, however, indicated they did consider themselves to have some role to play in regulating the socio-economic requirements, although this was incorporated within their wider remit of ensuring bodies were compliant with the full scope of relevant legislation. While they were not solely focused on socio-economic monitoring, they would indeed identify any issues and seek to address these within their normal inspection practices. This regulator indicated that they had updated all internal training as a result of each Act
relevant to their sector to ensure that Inspectors and other staff were aware of the requirements on the regulated public bodies. They were also delivering training around specific initiatives/programmes introduced by the legislation to their regulated bodies, had liaised with partner organisations, hosted relevant guidance and information on their website, and held seminars and conferences to raise awareness and support their regulated bodies. To maintain the anonymity of the organisation and respondent it is not possible to provide greater levels of detail regarding the sector they operate within or the work undertaken however.

Public bodies who responded to the research also reported a mixed picture in relation to regulation of the socio-economic requirements and whether any regulatory inspections had considered this. Most indicated that they had not been subject to any regulatory inspections in relation to either the Acts or the socio-economic requirements. Where inspections or audits were discussed, these generally consisted of Care Commission inspections of children’s services, Education Scotland inspections of education services, Best Value Inspections/Audits, and Scottish Qualifications Authority (SQA) Audits. In most instances it was noted that the main purpose of these inspections was not to consider socio-economic activities or progress, and the extent to which this had been considered was not clear. However, some respondents did state that they had discussed their activities and progress in this area with inspectors and that comments were received about this:

We had a good understanding of place and requirements, particularly in relation to the Children and Young People’s Act, and we were performing well in terms of community engagement. (Community Planning Partnership).

I think the key thing for us was the finding [from a Joint Inspection of Children’s Services], in terms of the conclusion that our work around addressing poverty and disadvantage, the fact that they referenced that as an area of strength was something that we found to be very welcome feedback on the approach that we’d taken. I think it’s useful to have formal feedback from things like inspections. (Education Authority).

One regulatory body also discussed previous reviews that they had conducted on regulatory reports to identify any changes in patterns and progress around other equality issues. They were not aware whether this had also been done to date for poverty, but noted this would be achievable.
It should also be noted that, Education Scotland’s website outlines that they do have a specific responsibility for regulating local authorities in relation to improving learning, raising attainment and closing the poverty related attainment gap\textsuperscript{16}. This is linked (initially at least) to the Scottish Attainment Challenge which is part of the Government’s National Improvement Framework (NIF), which was introduced under the Education (Scotland) Act 2016:

\textbf{In September 2017, Education Scotland announced that HM Inspectors, working in partnership with Audit Scotland would implement a new programme of inspections and report on the progress made by local authorities in improving learning, raising attainment and closing the poverty related attainment gap. These inspections will initially focus on the nine local authorities who are designated as Challenge Authorities within the Scottish Attainment Challenge. Inspection teams will include HM Inspectors of Education, Professional Associates who are senior staff in local authorities across Scotland and Audit Scotland auditors. (Education Scotland Website).}

The research suggests a lack of consistency in relation to the Acts and socio-economic requirements being regulated between sectors. It would appear that the education sector may be regulated in respect of socio-economic requirements to a greater extent via Education Scotland’s engagement with the legislation, however, regulation in other sectors appears inconsistent and less well structured. This could impact upon sectors/individual organisation’s commitment to fully engage with the full intentions of the legislation and invest in activities that can bring about real changes. Whilst the research does not indicate that this is currently happening (as all public body interview respondents indicated that their organisation did have a focus on poverty reduction and tackling inequalities which result from socio-economic disadvantage and could identify positive steps they were taking to tackle the issues) this nevertheless represents a risk and it is still too early to identify the extent of the impact that actions will have.

Experiences of the newer Acts

Public bodies experiences

The public bodies that were subject to the two newer Acts, namely the Education (Scotland) Act 2016 and the Child Poverty (Scotland) Act 2017, were asked if they have or will need to undertake any preparation in order to comply with these, and whether these have had any impact on their work so far.

Of the 39 public bodies who indicated they were subject to one or both of these Acts, 19 noted that they either had or will have to undertake preparatory work to comply. Some noted that it was still too early to know what work would be required, while others identified either having commenced the following work, or expected it to be necessary in the future:

- Considering data requirements and availability, including the collation and consideration of baseline data, and the consideration of ongoing data requirements for monitoring and evaluation
- Mapping and gap analysis to identify any gaps in provision
- Considering and establishing the required reporting mechanisms, including consideration of opportunities for streamlining reporting in order to reduce the reporting burden, and identifying any potential for joint/ shared reporting between partners
- Reviewing their own procedure and other authorities/bodies to see if there is any learning that can be shared
- Discussing requirements both internally and with partners (including considering new partnerships) with outcomes to be cascaded down to local teams, also undertaking collaborative planning work between partners
- Developing action plans to integrate the necessary requirements into processes - some noted these were already in place or under preparation (including Children and Young People’s Services Plans, Anti-Poverty Strategies, and Child Poverty Action Plans), while others had not begun this process yet
- Applying appropriate governance, both internally and jointly with partners
- Partnership groups and working groups established to consider the Child Poverty (Scotland) Act 2017, plus its guidance and how to comply with it, and to take forward any Action Plans required, and
• Some felt that more of a culture shift would be required around how some sectors and organisations thought about their role and the impact that they can have.

Some respondents noted that they were further along with their preparatory work, having already started analysing data, establishing working groups or other joint committees to advise and progress required work. Others, however, were waiting to see the guidelines before beginning any work.

Similarly, 21 public bodies indicated that these Acts had already had an impact upon their work. These impacts tended to be similar in nature to the issues discussed above regarding preparatory work, and included elements of data consideration and analysis, the development of strategies and action plans either specific to the Child Poverty (Scotland) Act 2017 or with considerations from the Child Poverty (Scotland) Act 2017 feeding into other documents such as the Local Outcome Improvement Plans, and developing co-ordinated approaches (internally, with partners, and with local communities).

Some also noted more practical front-facing activities that were directly tackling child poverty issues in the area:

We are looking at the cost of the school day, and the take-up of free school lunches, and have a clothing and school uniform grant. We have connections with schools to examine food poverty and various projects have been undertaken. (Community Planning Partnership).

The 13 respondents who indicated that these Acts had not yet impacted upon their work were also asked to outline any future impacts they expect may happen. Some noted that the reason these Acts had not yet had any impact on their work was because they felt they already had a significant focus on poverty related issues and so were already doing much of what would be necessary under the Acts. Others expected impacts around resource use, the need for awareness raising activities with staff, changes to the way data is used, and extra reporting requirements were also cited. One respondent felt that the newer legislation would provide a legislative framework to inform policy, functions and services, while others noted that these had already began to provide clearer focus on requirements for these aspects:
The Education Act has given us a clear focus on the National Improvement Framework Drivers and given us a clear focus on raising attainment and particularly focusing on the lower SIMD deciles, which has brought a sharper focus to the work of our schools as well in terms of their efforts to raise attainment. (Education Authority).

The Scottish Government’s experiences

Where applicable, respondents from the Scottish Government were also asked about the need for any preparatory work and current/expected impacts on their work as a result of the two newest pieces of existing legislation.

Only one respondent was able to provide a response, which was based on the Child Poverty (Scotland) Act 2017. They noted that the Scottish Government is required to produce a Delivery Plan as a result of this legislation, which it is currently working on. It was felt that, other than the Delivery Plan, the Scottish Government would not need to undertake any other preparation in order to comply with the socio-economic requirements of this Act, and that the preparation of the Delivery Plan was the only impact on its work so far.

This respondent also considered that it was too early to identify any positive outcomes or challenges of the Child Poverty (Scotland) Act 2017.
Meeting expectations

Extent that progress meets expectations

Parliamentarians and Scottish Government respondents were asked to comment on the extent to which they felt that initial expectations for the impact of the socio-economic requirements had been met to date.

Meeting expectations for the Children and Young People (Scotland) Act 2014

In relation to the Children and Young People (Scotland) Act 2014 specifically, all four Parliamentarians felt that this had not really met their expectations for the impact of the social economic requirements thus far. One noted that this was because services were not felt to be as open and accessible as had initially been expected, while two felt that their expectation for children’s rights to be taken more seriously had not fully transpired within the implementation as yet:

I think people thought we would get openness and easier to deal with services, and particularly be easier to deal with local authorities, but for the one or two constituents that have come to me, that’s not been their experience. (Parliamentarian).

I think unfortunately the impact since the Act has been implemented has been minimal. The fact that we don’t yet have a consistent application of a named person process… we don’t have that person that was meant to be the driver behind identifying socio-economic problems for children and solutions for those problems. I don’t think we’ve delivered that yet. (Parliamentarian).

My expectations have been met in that it’s been proven pretty problematic, and a lot of the rights contained within the Act [Children and Young People (Scotland) Act 2014] have either proven difficult to deliver or impossible to deliver… I do think we have an ongoing problem of conferring rights which people cannot then really access… I think that’s a pretty consistent and
When asked if more could have been done in the legislation or if it was more a problem with implementation, two Parliamentarians felt it was mostly an implementation issue:

Further, in relation to extending the rights for care experienced young people until the age of 21, it has already been noted in Chapter 2 that this was only available to those born after 1999, and thus missed the opportunity to assist others. However, it was also noted by one Parliamentarian that even within these limits, the changes were not reaching all those that were eligible. It was considered that limits around funding (and a lack of ring-fencing of such funding) was resulting in limits to the numbers of care experienced young people that could access ongoing services. They also highlighted issues around the number of foster carers available due to the complex status of foster carers and continuing carers, stating that there was evidence that foster carers in some areas were being encouraged to deregister as foster carers when the child in their care reached the age of 16 and to register as a continuing carer. Then when the young person reached the age of 21 the carer would then have to deregister as a continuing carer and register again as a foster carer, meaning there are gaps in their availability to care for children and young people due to the registration periods involved. This limits the possibility of the Act’s
provisions adequately addressing the socio-economic disadvantage faced by care experienced young people.

**Meeting expectations for the Community Empowerment (Scotland) Act 2015**

In relation to the Community Empowerment (Scotland) Act 2015, the Scottish Government respondents noted that it was too early to identify whether expectations were being met as the first round of progress reporting had not been undertaken/published as yet. It was noted by one respondent, however, that (in relation to the LOIP) good work was in progress even before the Act formalised the requirements.

However, in relation to Asset Transfers, one Parliamentarian felt this Act had not delivered greater community control of assets, at least within their locality, with the reasons for failed asset transfer requests not being sufficiently explained:

> There have been a couple of fairly large bids that I’ve been aware of, and both of them have failed, but why they failed has not been clear… I don’t know whether the communities had too high expectations or whether the legislation actually, in practice, isn’t working. (Parliamentarian).

**The Education (Scotland) Act 2016 and the Child Poverty (Scotland) Act 2017**

In relation to the two most recent Acts, that is the Education (Scotland) Act 2016 and the Child Poverty (Scotland) Act 2017, it was generally considered too early to tell whether expectations would be met. However, one Parliamentarian did suggest that the concept of widening access to encourage more young people from disadvantaged backgrounds to go on to further and higher education did already have supporting measures in place and that this was benefiting young people.

**Challenges**

The Scottish Government respondents and public bodies subject to the Acts were asked to identify any challenges that the socio-economic requirements had presented for their organisation.
A few public bodies stated that they had not experienced any new challenges as a result of the socio-economic requirements, while others maintained that it was still too early to identify challenges:

It’s still too early to say. Our current view though is that the socio-economic requirements are an opportunity. (Further and Higher Education sector).

One of the main challenges discussed by public bodies however, was in relation to resources:

Resources are an issue as we are a small Council. Each Act requires more to do but there is not much money to work with... Budgets are always contracting, and there are not enough staff so it is hard to continue to deliver everything… The Community Empowerment Act in particular requires a lot of input but council budgets and resources are contracting. (Community Planning Partnership).

Capacity really. There has been so much legislation over the past few years at a time when corporately we’ve been reducing as an organisation. We’ve lost so many key staff who previously would have worked as policy officers and developed work around this for us, but we just don’t have this capacity anymore as a small organisation. (Education Authority).

The Community Empowerment Act itself does not present any challenges, however funding for projects is an issue. (Regional Transport Partnership).

The current financial climate presents a barrier to implementation. (Community Planning Partnership).

In a time of reducing financial resources, there is no additional funding or officer time to progress this agenda. (Local Authority).

Councils do not have all the levers they require around ‘reducing poverty’, nor do they have the financial capacity to do so. With a [multi] million pound budget reduction required here over the next 3 years to balance the budget it is hard to see how development will take place. (Local Authority).

Getting quality staff to do the analysis and being able to communicate the data in a meaningful way can be challenging. We currently have very good staff, but retaining them is a potential risk. (Community Planning Partnership).
It's mainly resource based challenges. The more you put in the more you get out, and the biggest successes we’ve seen are in the areas where the most resources have been focused. This presents a challenge for a relatively small organisation with a national remit, how to achieve positive outcomes across the country with finite resources. (Other public body)

Resourcing issues were also noted as the main challenge for the Scottish Government. One Scottish Government respondent felt that restrictions on finances and resources limited the potential for investment.

Challenges were also noted by many public bodies around accessing and using relevant data, and in identifying and targeting activities due to the differences in demographics, SIMD, and need within local authorities, as well as around their ability to monitor and evaluate the impact:

The Corporate Parenting Plan has presented challenges in terms of trying to report and provide statistics for a very small area, because our numbers are so small we are at risk of identifying individuals. (Further and Higher Education sector).

Challenging due to differences in demographics and SIMD across the Council area. (Community Planning Partnership).

We need to make sure there is good evidence to support the requirements and this is a challenge. (Community Planning Partnership).

A key challenge is in being able to obtain robust information on the situation and characteristics of communities of interest in particular and in engaging with them given the relatively small size of certain populations in [the area]. (Local Authority).

Some of the challenges are around data and finding information on socio-economic indicators that are national but the resolution works at a local level. These indicators are not always compatible with [organisation specific] information. (Other public body).
SIMD does not, in the view of Local Government, adequately reflect rural or semi-urban/semi-rural disadvantage given that low population numbers and dispersed settlements mean that poverty can exist in isolated pockets rather than in whole neighbourhoods. This means poverty and disadvantage in rural or semi-urban (small village and small towns) Scotland often remains hidden. As such, it is crucial that authorities are provided with the space to address socio-economic disadvantage experienced by those in these areas versus those in large urban areas. (Local Authority).

We have a lot of data, for example SIMD, which colleagues translate into Area Profiles to inform targeted areas of inequality, the problem is getting people to take notice of the data and getting people to understand the complexities of the data, it can't always be simplified. (Community Planning Partnership).

One of our key challenges is around evidence and data to support and inform our understanding of the impact of our activities on local communities. (Other Public Body).

There is a challenge in determining performance measures which are meaningful around this agenda, given the limited data available. (Local Authority).

A few public bodies also noted challenges in adapting traditional engagement approaches in order to target hard-to-reach groups and in identifying any elements of hidden need/inequalities/deprivation:

There are still people out there that are not going to go to a [public] meeting, or to the community hubs, so how do we get their voices heard? (Community Planning Partnership).

A challenge can be reaching marginalised people and people with low literacy skills. (Health Board).
Some also noted that the time available to develop the Local Outcomes Improvement Plan and Locality Plans required by the Community Empowerment (Scotland) Act 2015 had been challenging:

Pulling together the Local Improvement Plan and the Local Area Plan within the deadlines has been a challenging process. It would be more efficient if a Strategic Plan came first, and then the Local Area Plan. (Community Planning Partnership).

We didn’t have much time to write and consult upon our Locality Plans due to the elections. (Community Planning Partnership).

Again, challenges around interpreting the requirements and identifying their organisations role were also noted for those that do not have front line services or deliver services to the public:

Being a non-[public] facing [body] it is sometimes hard to think how we can make a difference… we are a stage removed. For example, we don't experience care experienced young people on a daily basis even though we consult regularly with them, and we are aware socio-economically disadvantaged people will be under-represented and they are not keen to put their views forward. We are putting together a framework for other [bodies] to raise awareness of socio-economic issues but we are not delivering these services, this presents a challenge, as we are one stage removed. (Health Board).

A number of respondents also identified a lack of cohesion and linkages between the various Acts and socio-economic requirements:

The different pieces of legislation do not dovetail, and there is no coherent interface to help. (Community Planning Partnership).

Whilst these duties are complementary across the different pieces of legislation, it is at hard times to see the links between the different reporting requirements. (Local Authority).

Outcomes can overlap if we adopt an integrated approach, but legislation looks for individual reporting for each Act - if we have cross-partnerships who takes ownership? (Community Planning Partnership).
There were also a few respondents that highlighted risks in prioritising one group or piece of legislation ahead of others:

Poverty is a challenge for me, both to do my best to raise standards, but also to remind people that poverty is not the only legislation or the only inequality in our society. (Regulatory Body).

[Organisations] have limited capacity in relation to outreach and engagement, and there’s only so many people working in these areas. So one of the challenges is, if they’re focused on improving access based on socio-economic status then that’s taking away resource and attention from say gender focused initiatives. (Further and Higher Education sector).

A few also noted that challenges arose from the confusion that still existed over the terminology:

Terminology - ‘socio-economic disadvantage’ - what does this actually mean?! The plainer the language the better for socio-economic disadvantaged groups. (Other public body).

There’s still a bit of confusion in the system about what we mean, we get tied in knots about language a lot of the time between health inequalities, poverty, socio-economic factors, population inequalities and vulnerable groups. There’s quite a lot of cross-over between all these factors and sometimes the terms are used interchangeably. Because we work with so many partners I think getting some sort of core agreement about a set of language would help. There’s different actions you might need to tackle poverty or for wider socio-economic factors, and between individuals and systems. (Health Board).
The duty states: "In carrying out this duty, we would expect public authorities to tackle the range of inequalities of outcome they observe in their area. In some cases, an effective way to do this will mean tackling socio-economic disadvantage directly by, for example, reducing poverty." We consider that this requires further explanation as the term “poverty” is introduced here but not defined. (Local Authority).

The need to consider impacts and outcomes over the longer term was highlighted, along with the deep-rooted nature of the issues:

While we are making progress, the challenges faced by young people from socio-economically deprived backgrounds and care experienced students, with regard to educational attainment and access to employment are long-standing and will not be fixed overnight. (Further and Higher Education sector).

Other specific challenges noted by individual respondents included:

The deliverability of the childcare commitment within a remote and rural geography is particularly challenging. (Local Authority).

Pressures from more vocal and potentially more affluent communities from what is viewed as withdrawing services from them or favouring others. (Community Planning Partnership).

**Suggested changes to the socio-economic requirements**

Public bodies were asked if there were any changes they would make to the socio-economic requirements that were relevant for their organisation.

Following on from the challenges outlined, some respondents felt there was scope to allow for greater linkages to be made between the various pieces of legislation containing socio-economic requirements, and also with other pieces of legislation, such as the Equality Act 2010
Perhaps with the Community Empowerment Act it would be nice to have enhanced connection to the Equality Act. Fewer layers of legislation which take up time and effort. More communication between departments within Scottish Government, fewer silos. (Community Planning Partnership).

Would have liked the Equality Act 2010 to have come through the Community Empowerment Act. Legislation needs to make very clear how the Community Empowerment Act ties in with the Equality Act. It cuts across community partners in part, but not necessarily in whole. There are currently five pieces of socio-economic legislation, how will these come together? (Regional Transport Partnership).

The socio-economic requirements are spread across different Acts, covering many different organisations and it can be difficult to unpick an individual organisation’s responsibility. Bringing colleges within the proposed implementation of the socio-economic duty would be one way of doing this. (Further and Higher Education sector).

Consolidating some of the requirements. There needs to be a new strategy every time there is new legislation, but these could be better joined up by the Scottish Government. They have also come out very close together. The Community Justice (Scotland) Act 2016 also covers socio-economic issues. (Community Planning Partnership).

Conversations are needed at the Scottish Government level about how some of the strands join up nationally, and then how the funding follows those strands and could perhaps be considered in a different way… Often organisations are pushing up against the same issues, gathering the same information to develop plans, etc. so it duplicates effort… Also, other legislation, initiatives and contracts are not always picking up or making links with duties in the Community Empowerment Act, so opportunities are missed. (Community Planning Partnership).

Better joining up of all the different elements in relation to child poverty, and in relation to economic development, just try and find some way to pull all the different strands together. (Education Authority).
There were also suggestions that the number and types of organisations subject to the socio-economic requirements needed to be widened:

To make it a statutory duty for all public sector organisations. (Community Planning Partnership).

Extend the requirement to include duties for employers over a certain size. (Health and Social Care Partnership).

Extend the duty to all public bodies and give Community Planning Partnerships the lead locally. (Local Authority).

…services are delivered within a myriad of structures between statutory and third sector providers. Accordingly, as arrangements become more diverse, there is a difficulty in having a duty which applies to some partners and not all. (Other public body).

Again, similar to the challenges outlined, there were calls to tightening up the language and terminology:

Language and terminology used, the plainer the better. Also it needs to demonstrate the business benefit of implementing the legislation. (Other public body).

Others felt that, while there may be no changes required to the Acts themselves, more practical guidance and support regarding how to implement the requirements would be welcomed:

No changes, but perhaps it needs to be more clear about how the requirements can be put into practice, and how can data change socio-economics. (Community Planning Partnership).

Greater clarity and more worked examples. (Further and Higher Education sector).

Clearer guidance and better support. (Health Board).

It would be good to have good practice examples and better guidance, rather than new legislation. Any new legislation needs to be clearer regarding its requirements. (Community Planning Partnership).
Further guidance and examples of how we can report on socio-economic impacts. (Local Authority).

I think that I would seek to ensure that everyone was clear about the strategic nature of the socio-economic duty so it was clear when it applied and how to avoid any expectations being raised and people being disappointed in its operation. (Local Authority)

This sentiment was also shared by one of the Parliamentarian respondents:

I think the Act [the Children and Young People (Scotland) Act 2014] itself is fine, I think it’s the implementation and the statutory guidance and materials around it that could have been improved. (Parliamentarian).

While not strictly connected to changes to the legislation itself, there were again calls for increased budgets and resources in order to implement the legislation:

The Scottish Government to provide new monies to cover areas of high need better, in order to assist councils to meet identified needs. (Health and Social Care Partnership).

To be more realistic in funding. (Education Authority).

Concerned about the potential resourcing of a local fairness or poverty commission as there are no current resources to do this and the budgets for future years are declining. (Local Authority)

Those organisations who do not provide front-facing services again indicated that greater clarity, guidance and support was required in order to help them understand their role and how they can affect change:
Other comments that were made by individual respondents in relation to the general content or focus of the socio-economic requirements included:

There is a danger of stigmatising the poor by specific targeting, as has been experienced by SIMD communities. Building on assets in communities rather than deficits would be helpful, but the duty does not give regard to this. (Local Authority).

Rural poverty needs to be better considered in the legislation. (Regulatory Body).

I’m slightly nervous that the socio-economic duties might personalise things, so where we’re trying to work quite hard on the system aspects to reduce poverty and discrimination and equalising opportunities, but there is a danger that we only focus on this being about poor people or poor areas and miss the societal gradient and the complexity of the issues. (Health Board).

Specific comments were also made by individual respondents in relation to the Children and Young People (Scotland) Act 2014 and the Community Empowerment (Scotland) Act 2015:

In relation to the Children and Young People Act, at the moment local authorities do the reporting. We would like education establishments to sit in the same reporting body, but we don’t want yet another reporting cycle. It needs to sit within what we already do. (Further and Higher Education Sector)

The Community Empowerment Act is toothless. It feels like there are no sanctions for not enforcing the legislation. What happens if other local authorities don’t do anything? There are too many layers of paperwork. It is just a box ticking exercise, (Further and Higher Education Sector)
Finally, there were also opportunities or suggestions offered by a few respondents specifically regarding the socio-economic duty, or Fairer Scotland Duty:

The new Duty should be placed on Community Planning Partnerships rather than on individual organisations. (Community Planning Partnership)

I believe the new Duty will include a Poverty Commission – more guidance, support and help in this area would be good. (Health Board).

Reporting on this [Fairer Scotland Duty] and the other inequality focussed requirements should be consolidated. (Community Planning Partnership).

Include colleges and universities in the duty; to have an explicit intersectional expectation, and have it be part of the legislation and not part of the guidance; and I would also look at what could be done to extend the duty past the strategic level and into operational activities, so how can you make it a little bit stronger than just a ‘due regard’ duty. (Further and Higher Education sector).
Conclusions

Discussion of key findings

Public bodies engaged well with the research, with significant numbers contributing and representing a wide range of sectors and responsibilities. Other stakeholders however, were harder to identify and recruit, resulting in less information being gathered in relation to the initial intentions and expectations for the Education (Scotland) Act 2016 and also (to a lesser extent) the Children and Young People (Scotland) Act 2014. In addition, fewer representatives contributed from the charity and voluntary sector than was initially expected/desired.

Key research findings

Across all four Acts, it was generally considered that the overall intent of the socio-economic requirements was to place a legal requirement on public bodies to consider socio-economic issues and impacts within the delivery of policy, and thus improve the situation for those experiencing socio-economic disadvantage. It was considered beneficial to include socio-economic intentions and requirements across a number of Acts as this reinforced the message to public bodies that this is a priority area for consideration.

On the whole, public bodies generally found the intent of the socio-economic requirements to be clear. The main exception being those who did not have a front-facing service and had, therefore, struggled initially to understand their role and the contribution they could make.

No consistent team arrangements were identified by the research for implementing the requirements, although many public bodies indicated that responsibility was dispersed across several teams and frontline staff.

Similarly, there appears to be no formal external monitoring or evaluation framework in place, although the Scottish Government does intend to review progress reports once these are published. However, if public bodies are not aware of the likely content of this review framework, it is likely that the content of progress reporting will
lack consistency between organisations. Further, as socio-economic requirements are simply one part of larger agendas within the Acts it is likely that progress reports could result in differing levels of socio-economic coverage. This will make drawing meaningful conclusions around socio-economic progress difficult, and create problems in trying to measure progress and identify gaps.

A mixed picture emerged in relation to the regulatory framework for the socio-economic requirements across the four Acts. It appears that some sectors may be regulated in relation to socio-economic requirements under regulators existing remit to ensure that public bodies comply with all relevant legislation. However, regulation in other sectors appears inconsistent. Although other regulatory bodies indicated they might identify and tackle socio-economic issues within their existing remits, they did not consider themselves to have formal responsibility for the implementation of the existing socio-economic requirements, and so this may not be tackled in any structured or consistent way. This lack of consistency and apparent lack of regulation (and therefore any consequences for failing to effectively tackle socio-economic disadvantage) may risk some sectors or organisations simply paying lip-service to the requirements.

The only reporting to have taken place to date appears to be the development of the initial Strategies and/or Plans that need to be developed (for example the Children’s Services Plan, the Corporate Parenting Plan, Local Outcome Improvement Plans and Locality Plans). Although formal progress reporting is required for these elements, the research occurred too early in the process and so no progress reporting had been published. However, some bodies were including socio-economic reporting within wider reports, and report progress to their own organisation’s Board and/or partnership working groups.

For some public bodies who considered that they were already very focused on socio-economic issues and poverty, the impacts of the socio-economic requirements within the existing legislation was considered to be fairly minimal in terms of strategy direction or their day-to-day work. Rather, impacts were focused on providing a formal framework, aligning partners’ priorities, and providing greater opportunities for partnership working. For others however, there had been more significant changes required to policy, procedures and/or working practices, a need for greater joint working, as well as changes to data use and data sharing practices.

Positive outcomes discussed were generally restricted to fairly immediate impacts, with impacts on the level of poverty in communities highlighted as a long-term
outcome that could not be assessed at this stage. It was felt that the key positives to come from the existing socio-economic requirements included:

- public bodies are now encouraged to focus on poverty, inequality and community empowerment to a greater extent
- improvements to working practices
- improvements and increased opportunities for partnership working
- improvements in the support available to vulnerable children and young people, and
- communities increasingly involved in identifying needs and driving local decisions.

Key challenges, however, were identified for public bodies in relation to resources (both financial and staffing), to accessing and using relevant data, a lack of cohesion and linkages between the various Acts and socio-economic requirements, and persisting confusion over terminology.

Finally, suggestions for changes focused largely on providing links between the different pieces of legislation containing socio-economic requirements as well as to other relevant Acts (such as the Equality Act 2010), widening the scope of organisations that are subject to the socio-economic requirements, and the provision of clearer guidance which includes practical examples of implementation.

**Addressing the research aims**

1. To provide EHRC Scotland with evidence about the impact of socio-economic requirements in existing legislation.

2. To better understand the approach of public bodies and individuals who have to implement the relevant legislation in relation to compliance or the assessment of progress.

This report provides considerable evidence about the impact of the socio-economic requirements across the existing legislation that this research has reviewed, and details the approaches of public bodies and others that are responsible for implementing the legislation.
3. Better understand the kind of change that Parliamentarian and inspection bodies expected and to assess the extent to which the implementation of these requirements has created that change.

Due to the difficulties in securing interviews with respondents that could discuss the intentions and expectations of the Education (Scotland) Act 2016, as well as the recent timescale for implementation of this Act and the Child Poverty (Scotland) Act 2017, it has not been possible in the research to address this research aim for these two Acts.

In relation to the Children and Young People (Scotland) Act 2014 and the Community Empowerment (Scotland) Act 2015 however, it has been possible to gather more extensive data. The intentions for the socio-economic requirements within the two Acts were to impose a requirement to consider such issues when developing policy and activities. From the responses given by public bodies this appears to have been met, with many indicating that they already focused on poverty reduction, or that they have begun to refocus their priorities in line with these requirements. This is important to note given that the socio-economic requirements within the Children and Young People (Scotland) Act 2014 is not explicit, while those included in the Community Empowerment (Scotland) Act 2015 required public bodies to consider socio-economic disadvantage alongside other factors. However, it should also be noted that in some cases it was suggested that the socio-economic requirements were felt not to have had a significant impact as yet, due either to the fact they already focused heavily upon this anyway, or because the Acts were still relatively new and had not been embedded as yet.

In relation to the wider intention to then use this policy focus to improve the situation for people experiencing socio-economic disadvantage, this is harder to evidence. It is still early days in terms of being able to see a measurable impact on socio-economic disadvantage and poverty reduction - this is likely to only be measurable over a longer time period. Similarly, as progress reporting has not been undertaken yet (only the development of initial Plans), there is little evidence available regarding local level impacts to date. That said, the public bodies that responded to the research do appear to have taken steps to implement actions and changes to working practices in order to effect change, and it was suggested that this is beginning to return positive results - particularly in relation to care experienced young people accessing further and higher education, in the attainment levels of socio-economically disadvantaged children within schools, and reductions in teenage pregnancies in target areas.
Given the wide spectrum of sectors responsible for implementing a change and the areas where change can be targeted (for example health, education, justice, leisure, community planning, social services, transport, etc.) it will be difficult to obtain a co-ordinated picture of the full spectrum of activities being undertaken to tackle socio-economic disadvantage, both locally and nationally. However, to have all partners focused on the same priorities was seen as a benefit of including socio-economic requirements across different strands of legislation, and perhaps ensures a level of self-regulation across the public bodies. This complex myriad of partners and activities however, along with the dilution of socio-economic considerations within the legislation (that is, in both the Children and Young People (Scotland) Act 2014 and the Community Empowerment (Scotland) Act 2015 the socio-economic requirements are simply part of wider considerations for public bodies) also creates difficulties for the formal monitoring, evaluation and regulation of the requirements. The lack of an external monitoring and evaluation framework and the mixed provision for regulation also risks some sectors or organisations not prioritising this issue and simply paying lip-service to the requirements.

4. **Identify what specific issues, opportunities, threats, advantages or disadvantages are linked to the socio-economic duty.**

The results in relation to the impacts, positive outcomes, challenges and suggested changes to the socio-economic requirements in existing legislation further develops understanding around the potential issues, opportunities, threats, advantages or disadvantages that may be encountered with the Fairer Scotland Duty. In addition, some suggestions were also offered by respondents specifically in relation to the duty.

The earlier legislation, which this research has focused on, appears to have encouraged public bodies across all sectors to focus attention on the reduction of inequalities arising from socio-economic disparities. Different sectors and organisations may be at different stages in terms of strategy development and implementation, however it appears that most are now cognisant of the need to consider such issues across strategic planning and development. There appears to be good partnership working being developed, with all partners now more focused on the same priorities and outcomes, and with some partners now also being more innovative in how they can assist others in meeting their responsibilities. All of which should provide opportunities and advantages for the implementation of the Fairer Scotland Duty.
However, the need to tackle socio-economic disadvantage across all aspects of people’s lives/service delivery results in a complex landscape of partners and sectors being involved. This may create issues in relation to reporting, monitoring and evaluation activities for the Fairer Scotland Duty. Public bodies already consider that there is a significant reporting burden placed on them, and adding another layer to this could be challenging. With partners often working together to plan and deliver poverty reduction measures it will be important not to require duplication of effort in terms of reporting (that is requiring all partner bodies to produce their own reports based on the same work). That said, it will be important to ensure that meaningful progress reporting is conducted, which focuses on the impact and outcome from activities in order to avoid the risk of bodies simply outlining the actions they have taken without considering how effective these have been in addressing socio-economic disadvantage.

Similarly, respondents highlighted that the existing legislation did not clearly link together in terms of socio-economic responsibilities, so there is both an opportunity and a challenge for the Fairer Scotland Duty to address this and pull together the various requirements/identify these links in a clear and actionable manner. Although, the responses also illustrate the importance of clarifying how expectations linked to socio-economic requirements sit alongside other important considerations, such as the protected characteristics and the Equality Act so that other valuable work is not compromised, and to highlight any potential links that can be made in this respect.

A number of respondents indicated that the provision of clear guidelines would be welcomed in relation to socio-economic requirements and duties, along with examples of good practice and/or reporting templates.

**Conclusion**

Overall, public bodies engaged well with the research resulting in a large number of responses from organisations and covering a range of sectors, organisation size, and geographic coverage. This allowed the research to understand the range of impacts, opportunities and challenges of the socio-economic requirements. Parliamentarians and the Scottish Government, however, were more challenging to engage with making it difficult to establish, with any reliability, the initial intent of the socio-economic requirements and therefore how well expectations had been met.