# Regular Funding Process: Equality Impact Assessment (EqIA) Part One

The purpose of this Equality Impact Assessment (EqIA) is to ensure that the Regular Funding process does not discriminate against any person or group from 'protected characteristics' as described in the Equality Act 2010. It is also an opportunity to identify opportunities to advance equality and foster good relations between equality groups. It forms two parts: part one will assess the design of the process, and part two will assess the result of the process.

#### 1. Introduction

This assessment takes account of Creative Scotland's Equality, Diversity and Inclusion (EDI) ambitions described and mainstreamed in a number of sources, most of which are available on our website including:

- EqIA for 2015/18 Regular Funding Applications
- Creative Scotland Equality Outcomes 2013 to 2015\*,
- Creative Scotland: Equalities Mainstreaming Report 2015
- Unlocking Potential Embracing Ambition a shared plan for the arts, screen and creative industries 2014-2024
- Creative Scotland Annual Plan 2016-2017
- Creative Scotland Arts Strategy 2016-2017
- Film Sector Strategy 2016-2018
- Creative Industries Review and Strategy 2016
- Annual Statistical Reporting 2013-2016
- RFO Application and Guidance Materials
- 2015-18 RFO Portfolio EDI Action Plans and EDI Toolkit for Regularly Funded Organisations
- Time to Shine Barriers Report 2016

#### 2. About Creative Scotland

We are a Non Departmental Public Body, reporting to the Scottish Government and Scottish Ministers, which receives funding from both the Scottish Government and the National Lottery and are the national organisation that funds and supports the development of Scotland's arts, screen and creative industries. We act as a funder, advocate and development agency and support individuals, organisations and

<sup>\*</sup> under review

companies to innovate and grow, encouraging collaborative working across the creative sector.

The functions of Creative Scotland are set out in Part 4 of the Public Services Reform (Scotland) Act 2010 described as:

- Identifying, supporting and developing quality and excellence in the arts and culture from those engaged in artistic and other creative endeavours
- Promoting understanding, appreciation and enjoyment of the arts and culture
- Encouraging as many people as possible to access and participate in the arts and culture
- Realising, as far as reasonably practicable to do so, the value and benefits (in particular, the national and international value and benefits) of the arts and culture
- Encouraging and supporting artistic and other creative endeavours which contribute to an understanding of Scotland's national culture in its broad sense as a way of life.

The Regularly Funded Organisations reflect significant strategic investment in the art and cultural sectors in order to achieve our vision for Scotland outlined in our 10 year plan "Unlocking Potential and Embracing Ambition"

# 3. The legal framework and context

Creative Scotland is listed in Schedule 149 of the Equality Act 2010. This means we have statutory legal responsibilities and mandatory compliance. The Act sets out two duties known as the General Duty and the Specific Duty. Within the general duty, Creative Scotland has to demonstrate how it has shown "due regard" to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not.

Creative Scotland is also a listed authority with reference to The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (referred to as the "Specific duties"). These Regulations require Creative Scotland to assess the impact of applying a proposed new or revised policy or practice against the needs outlined in the General Duty. For this reason we will be

publishing our EqIA on our website not only to meet legal requirements but so that the public may understand our commitment to equality, diversity and inclusion.

In 2013 we set out four key equality outcomes, all of which influence the Regular Funding process. These outcomes are being revised will be published in 2017. They are currently described as:

**Equality Outcome 1: Our funding support more accurately reflects** the diversity of contemporary Scotland

Equality Outcome 2: That opportunities to engage with, and participate in, arts, screen and creative industries, throughout the country are more inclusive and accessible to everyone.

Equality Outcome 3: Employment patterns in the arts, screen and creative industries better represent the diversity of Scotland.

Equality Outcome 4: Our staff have a genuine understanding of, and commitment to, equalities.

The actions underpinning these outcomes can be found here.

## 4. Regular Funding

Regular Funding is one of Creative Scotland's three routes to funding for arts and creative organisations, and provides funding for a 3-year period (subject to available budgets). Regularly Funded Organisations (RFOs) are a network of organisations across Scotland that individually and collectively help to deliver Creative Scotland's ambitions, connecting themes and strategic priorities. RFOs are a key part of Scotland's cultural sector and are significant contributors to society - culturally, socially and economically. The current list of RFOs for 2015-18 is on our website.

Regular Funding does not suit all arts and cultural organisations. Some are in different stages of development or are better suited to Open Project Funding or Targeted Funding routes.

Part one of this EqIA therefore only covers the Regular Funding programme of work, and the development of the process and accompanying guidance. This helps to ensure that decisions are made

using a fair, consistent and robust process, checked for unwitting bias, quality assured and with universally applied considerations throughout.

#### 5. The Current RFO Portfolio 2015-2018

Creative Scotland, in awarding Regular Funding, is passing on requirements of its General Duty to the Regularly Funded Organisations. It expects them as publicly funded bodies to comply with the Equality Act 2010.

Of the final recommendations in the previous round, 13 of 118 organisations had a direct mission, stated in their applications, to address equalities and diversity, and were rated as having an outstanding or strong equalities and diversity focus. These organisations all had a clear remit to work with people with protected characteristics, and most target delivery of their programmes in locations with socio-economic deprivation.

A majority of the recommended organisations did not have a clear stated mission to deliver in equalities and diversity, but did set out clear equalities provision in their proposed programmes.

15 organisations were identified as having a key development need in this area. We ensured that the funding agreements reflected this and support was provided to enable progress.

Of the 13 strong equalities-focused organisations, nine were working with disabled people, two had a focus on gender (women), one specialised in creative ageing, and one was outstanding due to its targeted delivery in a location with significant social and welfare issues.

As a condition of funding and to further promote EDI, all RFOs are required to provide EDI Action Plans relevant to the context and priorities of the organisation. Equality, Diversity and Inclusion Action Plans: A Toolkit for Regularly Funded Organisations was distributed to all RFOs in 2015 and is now available to all applicants via our website.

#### 6. Annual Statistical Returns

Annual statistics from funded organisations 2012-2015 and Mainstreaming Reports 2013 and 2015 indicate general positive movement in relation to professional involvement of people with

'protected characteristics'. However, no organisation with minority ethnic leadership and/or focus was funded in 2015-18.

	2012/13	*2013/14	*2014/15
Staff employed by			
Regularly Funded			
Organisations	3860	4279	8,559
Men	47%	45%	49%
Women	53%	55%	51%
Disability	< 2.5%	< 2.5%	3.3%
Ethnicity	4.0%	6%	8.7%
LGB	8.8%	9.9%	7.3%

<sup>\*</sup>NB - the above table does not include youth employment initiative nor volunteers.

#### **AGE**

Information published in 2015 Equalities Diversity and Inclusion Report evidences the following age categories including volunteers and youth employment:

16-24 - 16%

25-44 - 41%

45-66 - 26%

65 + - 3%

Prefer not to say - 14%

Collection data categories have changed slightly between 2012/13 and 2013/14 however, the overall picture is comparable and relatively unchanged.

Ageing has been a strategic priority for Creative Scotland since 2010, as we recognise the impacts of the changing demographics and the increasing numbers of older people in society.

#### 7. Process to date

The process to date includes the design and testing of application forms, development of guidance, assessments for accessibility and EDI in general. Detailed guidance materials have been produced for EDI.

### **EqIA Step One – Understanding Evidence**

# 8. Equality Impact Assessment: The RFO Process 2018-2021

#### Who will be impacted by this process?

All applicants, Creative Scotland staff, Board, artists and creative practitioners, producers, organisations in arts, screen and creative industries and their employees,.

# What data/evidence do we have relating to the protected equality characteristics of the above groups of people?

The evidence used in this EqIA comes from:

Scottish Government Equalities Evidence Finder; Scotland Census 2011; Scottish Social Attitudes Survey 2015; EHRC Scotland Annual Report 2015/16; Scottish Household Survey 2014; Screen EDI Survey 2016; Creative Scotland Annual Statistical Returns 2012-2015; Creative Scotland Mainstreaming Reports 2013 and 2015, NRS Mid Year Population Estimates Scotland Mid-2015

This evidence gives a wider context of equalities in Scotland.

Disability	Scotland's 2011 Census	In 2011, the proportion of people in Scotland with a long-term activity-limiting health problem or disability was 20%, the same as reported in the 2001 Census
	Scottish Household Survey, 2014	People with disabilities or long-term health conditions report lower levels of attendance at cultural events or places; the gap between the groups was greater when cinema trips were included. SHS figures also show that attendance rates were much lower in adults who said that their health caused major reductions in their daily

		capacity.
		capacity.
	Scottish Survey's core questions. (Official statistics	Figures from SHS show that participation was lower in adults with a physical or mental health condition, particularly among those who said that their health caused major reductions in their daily capacity. When reading was excluded, only one in three with a major limiting condition said that they had participated in any cultural activity in the last year.
	on equality groups across a range of measures from harmonised questions	In 2014 23% of people living in Scotland had a long term limiting health condition or disability
Race /	Scotland's	The size of the minority ethnic
Ethnicity	Census 2011 People, Culture	population in 2011 was just over 200,000 or 4% of the total population of Scotland (based on the 2011 ethnicity classification); this has doubled since 2001 when just over 100,000 or 2% of the total population of Scotland (based on the 2001 ethnicity classification) were from a minority ethnic group.
	and Heritage in Scotland - Topic Report on results from the 2013 Scottish Household Survey (http://www.gov. scot/Publications/ 2015/01/2156	Attendance at a cultural place/event in the previous 12 months was 80% for those from the white ethnic group and 82% for other minority ethnic groups. Participation in a cultural activity in the last 12 months was 78% for those from the white ethnic group and 74% for other minority ethnic groups.  Ethnic diversity is most prominent in

		the large cities of Glasgow, Edinburgh and Aberdeen. Attendance % includes cultural festivals.
Gender	NRS Mid Year Population Estimates Scotland Mid- 2015 Scottish Household Survey, 2014	In 2015 51% of Scotland's population were women and 49% were men. This proportion has changed little since 1947.  Women reported slightly higher levels of attendance to cultural events or places than men (82% and 79% respectively The most common place to visit for both men and women was the cinema, where >50% had attended in the last year.  In 2014, participation in the last 12 months in specific cultural activities varied by gender and age. Specifically: Women participated more than men in a number of cultural activities including reading for pleasure (75% compared with 61%), crafts (24% compared with 7%) and dancing (14% compared with 9%).  Conversely, men participated more than women regarding playing a musical instrument or writing music (15 per cent of men, 8 per cent of women) and photography/making films or videos (13 per cent compared with 9 per cent).
Gender Re- assignment	Scottish Social Attitudes Survey 2010: Attitudes to Discrimination and Positive Action	More than half (55%) said they would be unhappy about a family member forming a relationship with someone who cross-dresses in public.  49% said the same of someone who has had a sex change operation.  The research found that context is

		important when understanding public attitudes. Whilst almost half (49%) of people would be unhappy with a family member forming a relationship with someone who has had a sex change operation, 31% felt someone who has had a sex change operation would be an unsuitable primary school teacher.
Religion and Belief	Scotland's 2011 Census, Release 2A (Table 7)	In 2011 just over half (54%) of the Scottish population stated their religion as Christian - a decrease of 11 percentage points since 2001, whilst 37% of people stated that they had no religion - an increase of nine percentage points.
	Scottish Surveys Core Questions, 2014.	In 2014, 52% of people in Scotland stated their religion was Christian. In comparison, 45% of people stated that they had no religion. The remaining 3% of people include Muslim, Hindu, Buddhist, Pagan, Jewish, Sikh and 'Another religion' responses.
	People, Culture and Heritage in Scotland - Topic Report on results from the 2013 Scottish Household Survey	In 2013, the percentage of adults who engaged in culture in the previous 12 months (i.e. those who attended a cultural event or place or participated in a cultural activity) was relatively similar between religious categories. Those with no religion had 92% cultural engagement, while Christians had 91% engagement. Those of another religion had 88% cultural engagement.
Sexual Orientation	Scottish Surveys Core Questions (2014)	In 2014, the overall proportion of those identifying as LGB and Other was 1.6%, which is the same as it was in

	(Official statistics publication on equality groups across a range of measures from harmonised questions across the major SG	2012.  3.1% of people aged 16 to 24 identified as being LGB and Other in 2014. In comparison, 0.8% of people aged 55 to 64 identified as being LGB and Other and similar proportions (0.6%) could be seen in older age
	population surveys. Scottish Social	groups.  The biggest and most rapid change in
	Attitudes Survey 2010: Attitudes to Discrimination and Positive Action	discriminatory attitudes in the last decade has been in views of gay men and lesbians. In 2000, 48% felt sexual relationships between two adults of the same sex were always or mostly wrong. By 2010 this figure had fallen to just over a quarter (27%). At the same time, support for same sex marriage has increased from 41% in 2002 to 61% in 2010, while more people said a gay man or lesbian would be a suitable primary school teacher in 2010 compared with 2006 (56% compared with 48%).
	EHRC: Is Scotland Fairer? 2015	There was a higher risk of poor mental health for adults aged 25 to 34, and LGBT people.
Age	NRS Mid Year Population Estimates Scotland Mid- 2015	The Mid-year population Estimate for Scotland on 30 June 2015 was 5,373,000, with 17% of people estimated to be aged under 16, 65% aged 16-64 and 18% aged 65 and over.
	Scottish Household Survey Annual Report, 2014	Levels of cultural attendance is generally higher among the younger age groups. The impact of including cinema trips in the measure is more noticeable in the youngest age group,

		where 9 in 10 adults aged 16-24 had attended some sort of cultural event or place in the last year. When cinema is excluded, attendance at cultural events or places is highest for those aged 35-44; this is largely driven by visits to museums and historic places.
		Like attendance rates, participation in cultural activities tends to be lower in the older age groups. We found that across all age groups, participation rates are largely driven by reading for pleasure. When reading is excluded the overall participation rate falls much faster as the age group increases. For example, around 60% of adults aged 16-24 had participated in a cultural activity, excluding reading, in the past year. This compares to 34% of adults aged 75 and over.
Pregnancy and Maternity	Creative Scotland Screen Equalities Survey 2016	'Caring responsibilities' were cited as a significant barrier to careers in freelance screen industry.
Gaelic	Scotland Census 2011	The total number of people recorded as being able to speak and/or read and/or write and/or understand Gaelic in the 2011 census was 87,000. Of these, the total number of people who could speak Gaelic was 58,000. The data shows that the rate of decline has slowed down significantly when compared with the decline registered in earlier census. The data also shows a welcome increase of 10% in the numbers of Gaelic speakers below the age of 15 and an increase of 15% in the 16-29 age group.  The Gaelic Language (Scotland) Act

BSL	British Sign Language Act 2015	2005 was passed by the Scottish Parliament with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language.  The Scottish Ministers are to promote, and facilitate the promotion of, the use and understanding of the language known as British Sign Language.  A National Plan is to be implemented in 2017 and will set out the strategy for relevant public authorities to promote, and facilitate the use and understanding of British Sign Language within their areas of responsibility.  BSL is used at home by more than 12,500 people in Scotland, a full and expressive language with regional variations and dialects.
Socio- Economic Disadvanta ge	http://www.gov.s cot/Topics/Statisti cs/SIMD	There is a 21 percentage point difference in cultural attendance between the 20 per cent highest and 20 per cent least deprived areas (70 per cent compared with 91 per cent). This gap was slightly smaller at 18 percentage points in 2013. When excluding cinema, this percentage point difference is higher at 26 points (60 per cent in the most deprived areas and 86 per cent in the least deprived areas). This gap was slightly smaller at 24 percentage points in 2013.

#### 9. EqIA Step Two: Assessing the impact

**Context:** Creative Scotland has a duty to eliminate discrimination, advance equality, and foster good relations

The RFO Process will be undertaken in three stages. The following tables indicate how each stage of the process may impact on people with protected characteristics and what actions can be put in place in order to ensure a fair and robust outcome.

# 10. Preparation of Documentation for Launch

Protected	Impact	Notes
Characteristics		
Disabled People	Yes	Issues include: Documentation may not be accessible for visually impaired people, hearing impaired people and those with cognitive disability.  Website may not be accessible with clear directions for support.  Process may not appear welcoming and inclusive.
Actions:		<ul> <li>Draft documents to be shared across the organisation and feedback sought on clarity of information and accessibility.</li> <li>External advisors to provide feedback on the documentation and its clarity.</li> <li>Equalities team to review all documentation in relation to statutory requirements, inclusive language, equalities monitoring and</li> </ul>

Process may not appear welcoming and inclusive.
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	Cultural organisations that have
	developed from a community
	base may have less experience or
	track record in articulating their
	quality and vision through funding
	criteria.
	English as an additional language
	may inhibit confidence and
	expression
	Previous RFO round identified lack
	of opportunities for artists, arts
	organisations and cultural leaders from ethnic minority backgrounds
	as limited in Scotland and
	therefore a priority development
	area. Creative Scotland strategy
	for ethnic minority engagement,
	talent development, leadership
	and increased representation may
	not be widely known.
Actions:	Ensure inclusive
	representation of
	contemporary Scotland
	through website images
	Inclusive and appropriate     language to be used
	throughout documentation,
	guidance and website.
	Information sessions to be
	supported by EDI team for
	access and tailored follow
	up support.
	Information re RFO and
	Launch to be targeted at
	cultural organisations from
	ethnic minority
	backgrounds.
	Application documentation     Application documentation
	is plain English with clear

		explanations of eligibility, functions of RFOs and of each criterion.  Raise profile of CS strategy for ethnic minority leadership, talent development and increased representation.
Gender	Neutral	Research shows that gender balance in the arts, screen and creative industries is a complex issue. Whilst gender balance in arts, screen and creative industries appears fairly even, the issues lie within different art-form and industry practise, career progressions and leadership. Whilst relevant to the arts in general, it is not applicable to this EqIA.
Gender Re-	Neutral	There are no specific issues in
Assignment/Transgender Religion and Belief	Neutral	relation to this EqIA
Religion and beller	ineutiai	Non Lottery funding may be used in situations for groups who do not wish to use lottery sourced funds.
Sexual Orientation	Yes	Process may not appear welcome and inclusive
Actions:		Ensure inclusive     representation of     contemporary Scotland     through website images

		<ul> <li>Inclusive and appropriate language to be used throughout documentation, guidance and website.</li> <li>Utilise Stonewall Diversity Champions programme to promote process to LGBT+ communities.</li> </ul>
Age	Yes	Many RFOs work with young people in a variety of different ways, from early years through to youth employment schemes.  In June 2015 mid year population figures indicated more people over 65 years than under 16 years old – evidencing the changing demographic in Scotland.
Actions:		<ul> <li>Ensure inclusive         representation of         contemporary Scotland         through website images</li> <li>Inclusive and appropriate         language to be used         throughout documentation,         guidance and website.</li> </ul>
Pregnancy and Maternity	Neutral	There are no specific issues in relation to this EqIA
Gaelic	Yes	Creative Scotland have produced a Gaelic Language Plan 2012-2017. Our Gaelic Language Plan sets out how we will use Gaelic in our operations, our communications and in our funding of the arts and culture in Scotland in order to:  • Enhance the status of Gaelic

	language and culture  • Promote the acquisition and learning of Gaelic  • Encourage the increased use of Gaelic  The Gaelic arts and cultural sector is quite fragile and due to low level of number of speakers, can sometimes lack the skills and knowledge required to run a fulltime professional arts body. Many of the Gaelic arts bodies and activities happen outwith the central belt and therefore sometimes the organisations are disconnected from the wider arts fraternity and decision making bodies. There is a general interest in Scotland in Gaelic arts and culture and this is growing
Actions	year on year.
Actions:	<ul> <li>All relevant application documentation can be provided in Gaelic.</li> <li>Applications can be accepted in Gaelic. These are translated into English, and flow through the process identically to all other applicants to ensure a fair process.</li> <li>At least one information session should include a venue/s in areas of high population of Gaelic e.g. Western Isles, Highlands</li> <li>Information on RFO Launch and process to be targeted at Gaelic cultural organisations.</li> </ul>

BSL	Yes	<ul> <li>Gaelic officer to offer follow up support</li> <li>Contribution to the National Plan as outlined above</li> <li>Creative Scotland will be contributing to the BSL National Plan as outlined above.</li> <li>Consider BSL welcome message on homepage.</li> </ul>
Socio-Economic Disadvantage	Yes	Areas of socio-economic disadvantage include rural or isolated communities.
Actions:		<ul> <li>Information on RFO Launch and process to be targeted at cultural organisations working within or targeting SIMD areas</li> <li>Place team to be utilised in raising profile with arts organisations working with SIMD areas</li> <li>Information Sessions should be planned to ensure geographic accessibility and held within familiar, and accessible public venues.</li> <li>Place team and EDI team to attend appropriate sessions for follow up support and tailored advice.</li> </ul>

#### **Monitoring and Data:**

As evidenced by Scottish Core Questions 2014, some small groups such as transgender people, Gypsy/Travellers, and people with specific disabilities (for example, deafness or blindness) are rendered virtually 'invisible' by the lack of data. These groups may be experiencing significant disadvantages, or infringements of their human rights, and greater effort is needed. Creative Scotland aim to collect equalities data regarding attendance and uptake of all events relating to this process.

# 11. APPLICATION Stages 1&2: Checking for Eligibility and Specialist Officer Assessments

# 12. APPLICATION Stages 3 & 4: Specialism Team Discussions and Balancing the Network

All Protected	Actions:
Characteristics	
	EDI Team to be included in Specialism Team
	Discussions in order to contribute to strategic
	recommendations.

#### As a result of this assessment, what action shall we take?

	Details and timescale for proposed actions
Level of Impact	Medium
Undertake a further full impact assessment?	Part 2 of the EqIA will be completed after the decision making process is finalised. In Sept/Oct 2017.
Implement the RFO process?	Yes

## Definitions of level of impact:

# HIGH

The EqIA outlines a significant number of changes or improvements that should be made. There is substantial evidence that equality groups could be negatively affected by the policy.

#### MEDIUM

A few changes or improvements are outlined in the EqIA, with some evidence that equality groups could be negatively affected.

#### **LOW**

Minor or no changes are outlined in the EqIA, indicating there is little or no evidence to suggest that people from equality groups could be negatively affected.

**NEUTRAL** The EqIA indicates that equality groups of people are unlikely to be affected.

#### Who was involved in the assessment, and how?

This assessment was prepared by Helen Trew with input from EDI Team, RFO Project Group, and Communications Team.

Date EqIA completed: 31st October 2016

### **13.** EqIA Step Three: monitoring the impact

# How will we monitor the impact of this work on the equality groups identified above?

We will monitor the impact of this work on equality groups identified above through the  $2^{nd}$  EqIA report and by information gathered by the Knowledge and Research team throughout the process.

We will take account of the Equality Impact Assessment undertaken in 2014-15 and analyse the range and quality of the applications from an equalities perspective.

### 14. EqIA Step Four: Signature of CEO or Director

Title of EqIA – RFO Process 2018-	
21	
Part One	
Name	
Signature	
CEO / Director of Creative	
Development	
Date	

#### **Next:**

The findings from this EqIA should be communicated to SLT to influence corporate plans and strategies.

The EqIA should be published on the Creative Scotland website.

Date due for review: October 2017