

National Minimum School Clothing Grant

Equality Impact Assessment Record

September 2018



Scottish Government
Riaghaltas na h-Alba
gov.scot

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy	National Minimum School Clothing Grant	
Minister	John Swinney	
Lead official	Phil Alcock	
Officials involved in the EQIA	name	team
	Phil Alcock; Douglas Forrester	Support and Wellbeing Unit
Directorate: Division: Team	Directorate for Learning: Improvement, Attainment and Wellbeing Division: Support and Wellbeing Unit	
Is this new policy or revision to an existing policy?	Revision to existing policy on the delivery of school clothing grants	

Screening

Policy Aim

The purpose of this policy is to reduce the inequalities found in the current delivery model of school clothing grants. At present, although local authorities are required to assist with the provision of school clothing for low income families, there isn't a standard national guideline on what this provision should entail.

All local authorities pay school clothing grants to assist with the cost of school clothing to eligible families, however the sums paid varies widely across Scotland. The implementation of this policy, in conjunction with local authorities, would reduce those inequalities by setting a minimum grant of £100 nationally, funded 50:50 by the Scottish Government and local authorities.

The National Outcomes this policy will contribute to are: "We grow up loved, safe and respected so that we realise our full potential", "We are well educated, skilled and able to contribute to society", "We respect, protect and fulfil human rights and live free from

discrimination” and “We tackle poverty by sharing opportunities, wealth and power more equally”.

Who will it affect?

The policy will primarily affect children and young people. Being suitably clothed for school is a crucial factor in helping children and young people to overcome potential barriers to learning and being ready to learn.

The policy will also help low income parents by providing additional financial support towards the cost of the school day.

What might prevent the desired outcomes being achieved?

If the Scottish Government and CoSLA were unable to reach agreement on the proposed delivery model of a national minimum school clothing grant.

Stage 1: Framing

Results of framing exercise

The framing exercise was conducted by policy officials and analysts. We considered the findings of a short-life working group on the provision of school clothing grants, which reported in January 2011. This group recommended that a minimum school clothing grant of £70 should be implemented, this figure was uprated to £80 in present-day terms having taken inflation into account. Research from 'the Cost of School Clothing Group', a coalition of anti-poverty groups, was also considered - which suggested the cost of a school uniform was at least £129.50. Both these figures were considered as part of the exercise, as well as two sums in between - £90 and £100.

Although the Scottish Government does not hold data on how many school clothing grants are issued (they are paid directly by local authorities), we considered the data contained in the annual local government finance return and data on free school meals distribution in order to inform the estimated number of eligible families.

Extent/Level of EQIA required

Although data specifically focusing on recipients of school clothing grants is not available, the latest publication on poverty and income inequality in Scotland - published on 22 March 2018 - helped us identify trends on demographics most likely to experience poverty, therefore we considered that a full Equality Impact Assessment of this policy would be required.

The following points were considered:

- Identifying which specific demographic groups could be more likely to experience poverty; and
- The impact of setting the minimum grant at £80, £90, £100 and £129.50.

However, the proposed national minimum school clothing grant is a blanket policy targeted at all low-income families.

Stage 2: Data and evidence gathering, involvement and consultation

Include here the results of your evidence gathering (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic ¹	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	Ages considered were defined by Curriculum for Excellence and who were of school age (4-18). In order to identify the numbers of pupils that should be considered, data used was taken from the 2017 Health Living Survey on the number of pupils currently registered for Free School Meals by local authority. We also used a model provided by analysts that used 2016 data from DWP and HMRC on children in families in receipt of qualifying benefits.	2017 Healthy Living Survey	
DISABILITY	Not applicable. These grants are available to all pupils, including those who have a disability, and who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		
SEX	Not applicable. These grants are available to all pupils who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		
PREGNANCY AND MATERNITY	Not applicable		
GENDER REASSIGNMENT	Not applicable. These grants are available to all pupils who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		
SEXUAL ORIENTATION	Not applicable. These grants are available to all pupils who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		

¹ Refer to Definitions of Protected Characteristics document for information on the characteristics

RACE	Not applicable. These grants are available to all pupils who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		
RELIGION OR BELIEF	Not applicable. These grants are available to all pupils who meet the qualifying criteria for school clothing grants (which is a finance-based measure).		
MARRIAGE AND CIVIL PARTNERSHIP (the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details)	Not applicable		

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

Having considered the data and evidence you have gathered, this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and/or foster good relations.

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

Age	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity	X			The proportion of children living in households classed as being in relative poverty is higher than that of older age groups. The proposed national minimum school clothing grant will guarantee those families a minimum level of financial support towards the cost of purchasing a school uniform, no matter where they live in Scotland.
Promoting good relations among and between different age groups	X			Under the current model of delivery for school clothing grants, grants for primary school pupils pay less than those for secondary school pupils in some local authority areas. We recognise that secondary school uniforms can be more expensive, therefore the revised policy does not enforce equal grants for all age groups.

				However, if the proposed minimum grant of £100 is agreed to, it will see financial support for families with children in primary school increase in 30 out of 32 Scottish local authority areas.
--	--	--	--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Promoting good relations among and between disabled and non-disabled people			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Promoting good relations between men and women			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Pregnancy and Maternity	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Promoting good relations			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Promoting good relations			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Promoting good relations			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity	X			We note that the proportion of minority ethnic households in relative poverty is higher than that of white ethnic groups. The proposed national minimum school clothing grant will guarantee those families a minimum level of financial support towards the cost of purchasing a school uniform, no matter where they live in Scotland.
Promoting good race relations			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.
Advancing equality of opportunity	X			We note that some religious groups are more prevalent in the more deprived areas than others. The proposed national minimum school clothing grant will guarantee those families a minimum level of financial support towards the cost of purchasing a school uniform, no matter where they live in Scotland.
Promoting good relations			X	This policy applies to any school-age child who meets the qualifying criteria for the provision of a school clothing grant.

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

Marriage and Civil Partnership²	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	The policy has no impact on this protected characteristic

² In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact. You will need to consult your legal team in SGLD at this point if you have not already done so.

Have positive or negative impacts been identified for any of the equality groups?	Nobody will be negatively impacted by this policy. The policy will have a positive impact for low-income families.
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ³ ?	No.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	Not applicable.
If not justified, what mitigating action will be undertaken?	Not applicable.

Describing how Equality Impact analysis has shaped the policy making process

Working through the Equality Impact analysis, we have assessed this policy is not anticipated to have a negative impact on anybody. Its positive impacts include the introduction of a guaranteed minimum level of support towards the cost of school uniforms for qualifying families across all of Scotland, helping to reduce the current inequalities which exist in provision between different local authority areas.

³ See EQIA – Setting the Scene for further information on the legislation.

Monitoring and Review

Some local authorities inform us they already pay school clothing grants automatically to eligible families. We believe this method of delivery maximises uptake, so we will liaise with local authorities which operate 'auto-payment' to assess rates of uptake and consider how it could be rolled out among as many local authority areas as possible moving forward.

It is also being proposed, as part of our agreement with CoSLA, that the national minimum school clothing grant will be reviewed every two years after its introduction to ensure that the sum paid remains in line with the cost of living.

Stage 5 - Authorisation of EQIA

Please confirm that:

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

Yes No

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

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

Yes No

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

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the national minimum school clothing grant and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Graeme Logan

Position: Deputy Director: Improvement, Attainment and Wellbeing Division

Authorisation date: 31 August 2018



Scottish Government
Riaghaltas na h-Alba
gov.scot

© Crown copyright 2018

OGL

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at
The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-78781-179-9 (web only)

Published by The Scottish Government, September 2018

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS462506 (09/18)

W W W . G O V . S C O T