

Circular Economy (Scotland) Bill

Equality Impact Assessment

June 2023

EQUALITY IMPACT ASSESSMENT RECORD

Circular Economy (Scotland) Bill

Updated March 2023

Screening

Policy Aim

In the 2021-2022 Programme for Government, the Scottish Government committed to bring forward a Circular Economy Bill, to help facilitate the development of an economy which reduces demand for raw materials, designs products to last as long as possible and encourages reuse, repair and recycling.

This Bill is a continuation of the Circular Economy Strategy 'Making Things Last' published in 2016,¹ alongside other policy work to embed the principles of a circular economy in Scotland and take action to make good use of our planet's finite resources.

The Circular Economy Bill should also be seen in the context of the 2020 Climate Change Plan update, which set out a vision for 2045 where Scotland's cultural, social, and business norms would be driven by a focus on:

- Responsible production, where a circular economy is embraced by the businesses and organisations that supply products, ensuring the maximum life and value from the natural resources used to make them.
- Responsible consumption, where people and businesses demand products and services in ways which respect the limits of our natural resources. Unnecessary waste, in particular food waste, will be unacceptable in Scotland.
- Maximising value from waste and energy, where the environmental and economic value of wasted resources and energy is harnessed efficiently

The Circular Economy Bill will establish the legislative framework to support Scotland's transition to a zero waste and circular economy, significantly increase reuse and recycling rates, and modernise and improve waste and recycling services. Our intention is to use the Circular Economy Bill to bring forward measures that require primary legislation, recognising that these are complemented by the other legislative and non-legislative activities such as the ban on single-use plastic items, reform of producer responsibility schemes (particularly in relation to packaging), and investment in household recycling through the £70 million Recycling Improvement Fund.

¹ [Making Things Last: a circular economy strategy for Scotland, Scottish Government, 2016](#)

The Bill will support progress towards the national outcomes for economy (we have a globally competitive, entrepreneurial, inclusive and sustainable economy) and environment (we value, enjoy, protect and enhance our environment).

In developing the provisions in this Bill, the Scottish Government is mindful of the three needs of the Public Sector Equality Duty (PSED) - eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share a protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not. Where any negative impacts have been identified, we have sought to mitigate/eliminate these. We are also mindful that the equality duty is not just about negating or mitigating negative impacts, as we also have a positive duty to promote equality.

Provisions within the Circular Economy Bill

The provisions within the Bill will be mainly enabling in nature, setting out a framework that builds on existing Scottish Government policy on preventing and managing waste and promoting a circular economy, including through materials reuse and recycling. It is intended to ensure that Scottish Government has the powers necessary to move Scotland towards a circular economy.

Circular economy strategy

Placing a duty on Scottish Ministers to publish or refresh a circular economy strategy at least every 5 years in order to direct national policy on the circular economy.

Circular economy targets

Developing statutory targets for the Scottish Ministers to provide a focus for action.

Restrictions on the disposal of unsold consumer goods

Providing powers to limit the disposal of unsold goods in order to reduce wasteful practice.

Charges for single use items

Creating a power to set a minimum charge for certain throwaway items in order to drive waste reduction and greater use of reusable items (the intention is for this initially to be applied to single-use Disposable beverage cups).

Householder's Duty of Care in relation to waste

Making it a criminal offence for a householder to breach their existing duties of care under the Environmental Protection Act 1990, in relation to fly-tipping and sorting of waste, and creating a new fixed penalty regimes to enforce these duties.

Household waste

Requiring local authorities to comply with a code of practice on recycling and giving local authorities a package of new responsibilities and powers, including powers to set recycling targets.

Littering from vehicles

Establishing a new civil penalty regime that will make the keeper of a vehicle liable to pay a penalty charge in respect of a littering offence committed from that vehicle.

Enforcement powers in respect of certain environmental crimes

Improving enforcement against fly-tipping and other waste crime through a power allowing the Scottish Environment Protection Agency ("SEPA") and local authorities to seize vehicles involved in specified waste crime.

Reporting of waste, surpluses, etc.

Obtaining information about where waste is occurring through a power to require information which would lead to public reporting of waste and surplus by businesses (the intention is for this initially to be applied to information about food).

Who will it affect?

The Bill proposals consist of mainly enabling powers, which will not directly impact people or communities. However, there is the potential for proposals, and later secondary legislation that develops from the Bill, using these powers to affect everyone in Scotland (including individuals, businesses, public sector and third sector organisations).

In particular, the application of the following powers would have the potential to impact on individuals:

- Littering from Vehicles: Fixed penalty notices being issued for the registered car owner in cases of littering from vehicles
- Householders duty of care in relation to waste: Fixed penalty notices for breaching householders' duty of care in relation to waste which will be implemented by directly amending the Environmental Protection Act 1990
- Enforcement powers in respect of certain environmental crimes: Seizure of vehicles involved in waste crime
- Household waste: Strengthening recycling incentives or penalties for households via:
 - Enforcement or fines
- Charges for single-use items: Charging for environmentally harmful items that can be replaced with sustainable alternatives or are problematic to recycle

This iteration of the EQIA reporting template, updated after the CE Bill Consultation² closed, takes into account comments received via the CE Bill and other consultation processes.³ The following question was included in the CE Bill consultation with the specific intention of engaging with stakeholders on potential impacts regards equalities⁴ and to provide them with the opportunity to identify any additional likely impacts. The initial CE Bill EQIA Results document was published alongside the CE Bill Consultation to allow those responding to review the document and determine if they felt any additional impacts were likely.

Taking into account the accompanying EQIA, are there any additional likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above?

Responses to the CE Bill consultation align well with the first iteration of the EQIA, with neither positive nor negative issues identified for protected characteristics groups from the introduction of primary legislation.

In addition to Age, Disability and Sex, Race was identified as a further Protected Characteristic Group that should be considered in future EQIAs that accompany secondary legislation development.

A number of responses were more relevant to the Fairer Scotland Duty Assessment (FSDA) in terms of poverty, housing type and access to vehicles. This feedback will be taken into account as the associated FSDA is updated.

Specifically, the EQIA assesses any impacts of applying a proposed new or revised policy or practice against the needs relevant to a public authority's duty to meet the public sector equality duty.

The needs are to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity; and
- Foster good relations

What might prevent the desired outcomes being achieved?

Achieving the desired outcomes will be dependent on businesses and consumers adopting new behaviours effectively.

Consideration has been given as far as possible to potential impact based on the evidence gathered during this equality impact assessment process leading up to the public consultation.

² [Delivering Scotland's circular economy: a consultation on proposals for a Circular Economy Bill - Scottish Government - Citizen Space](#)

³ [Delivering Scotland's circular economy: Proposed Circular Economy Bill - Consultation analysis - gov.scot \(www.gov.scot\)](#)

⁴ As per the general equality duty as set out in section 149 of the Equality Act 2010.

STAGE 1: Framing

Results of framing exercise

A framing exercise was carried out to determine and identify relevant areas for investigation.

An EQIA has been completed for the Bill, to ensure that:

- a. The enabling powers are designed in such a way as to avoid causing issues during the development of secondary legislation
- b. Potential issues are identified early, to allow further investigation prior to development of secondary legislation.

Specifically, this EQIA considers impacts on people across the range of protected characteristics based on the three tests it is required to address:

- Does this policy eliminate discrimination for each of the 9 protected Characteristics (PCs). If not is the discrimination justifiable? Can it be mitigated?
- Does this policy advance equality of opportunity for PC groups?
- Does this policy foster good community relations between people of PC groups.

Policy analysts within Zero Waste Scotland made an initial assessment of potential impacts on those with protected characteristics, and this was used as the basis of a workshop session with Scottish Government officials. Following the workshop session, the following issues were noted as requiring further consideration:

Proposal consulted on: Fixed penalty notices for the registered keeper of a vehicle when a littering offence has been committed from that vehicle
Issue: Ability to understand and pay fines may differ, likelihood of committing a littering offence
Relevant protected characteristics: Age, Disability, Race

Proposal consulted on: Fixed penalty notices for breaching householders' duty of care in relation to disposal of household waste⁵
Issue: Ability to understand and pay fines may differ, likelihood of committing a flytipping offence
Relevant protected characteristics: Age, Disability, Race

Proposal consulted on: Seizure of vehicles linked to waste crime
Issue: Potential higher impact of a loss of a vehicle if less able to access other forms of transport
Relevant protected characteristics: Disability, Race

⁵ This proposal was not included within the considerations of ZWS policy analysts originally nor within the workshop with SG but has been included post consultation as a result of issues identified through Murdo Fraser's Members' Bill on flytipping and the new National Litter and Flytipping Strategy.

Proposal consulted on: Strengthening the approach to household recycling collections

Issue: Accessibility of recycling

Relevant protected characteristics: Disability

Proposal consulted on: Enforcement/fines for household recycling

Issue: Accessibility of recycling

Relevant protected characteristics: Disability, Age

Proposal consulted on: Charges for Single Use Items

Issue: Accessibility, affordability and suitability of alternative items

Relevant protected characteristics: Disability, Age

Key Findings

At the time of this framing exercise in 2019, our evidence did not identify any positive or negative impacts from the introduction of legislation as part of the Circular Economy Bill.

The potential for secondary legislation to have impacts on people with protected characteristics, particularly disabled people and potentially with regard to age, race and sex was identified during this exercise. These include in relation to proposals for charging for single use items, the development of household waste and duty of care measures and proposals relating to littering and flytipping. These will be considered during the design of proposals for secondary legislation.

For this reason a full EQIA is considered necessary.

Extent/Level of EQIA required

As the Circular Economy Bill is intended to introduce a range of mainly enabling powers, it is not, in itself, expected to result in significant impacts on groups with protected characteristics, however where any negative impacts are identified we will seek to mitigate them. It is also possible that secondary legislation, implemented using these powers, may have an impact and further equalities impact assessments will be carried out during the development of any secondary legislation.

At this stage of the CE Bill process, it is considered appropriate to conduct a high-level EQIA. This EQIA will be completed using desktop research to identify any key evidence relevant to the issues noted above. The EQIA will be used to determine the extent of further evidence gathering, or external engagement required. In order to ensure that we are able to any impacts of applying this policy against the three needs of the public sector equality duty. For example this may involve consultation with groups representing people with one or more of the protected characteristics. Analysis of the findings from that consultation will in turn be used to shape the policy.

This iteration of the EQIA record has been updated following the public CE Bill consultation, which provided an opportunity for affected groups to contribute views or evidence. While no further evidence was provided, in general views aligned well with the conclusions as laid out in the initial iteration of the EQIA.

Further EQIAs will be carried out, as needed, when secondary legislation is being considered. This will allow for more detailed consideration of any issues, and for recommendations to be made about any amendments or mitigating measures needed in line with the three requirements of the general equality duty.

For the proposal to amend householder's duty of care in relation to household waste, which does not require secondary legislation, further assessment needs have been considered as being unrequired as the Bill provisions update an existing duty on householders. Householders are already subject to the duty of care in relation to disposal of household waste and must take reasonable steps to ensure that waste produced on their property is only transferred to an authorised person or to a person who is authorised for the purposes of transport though a breach of this obligation is not itself a criminal offence. However, at present, where household waste transferred in breach of the duty of care is subsequently fly-tipped, the householder can be the subject of enforcement action and be considered jointly liable with the fly-tipper under section 33 of the 1990 Environment Protection Act (EPA) (as amended).

This proposal makes a breach of the existing householder duty of care a criminal offence, and will also provide for enforcement by means of a fixed penalty notice procedure for local authorities. The proposal will also mean that SEPA can use its existing enforcement powers in relation to this offence. It is anticipated that the bulk of enforcement action will be by way of fixed penalty notice or, in the case of SEPA, fixed monetary penalty, rather than criminal prosecution. This proposal will also bring Scottish duty of care provisions in line with those in England and Wales.

Updated guidance for local authorities will be developed to ensure a greater understanding of enforcement responsibilities and will include clear guidelines on when enforcement action, including use of Fixed Penalty Notices would be considered reasonable. There is an existing Code of Practice in relation to the Duty of Care⁶ as provided for by section 34 (7), which will be updated to reflect the changes to the householder duty of care as a result of this proposal.

⁶ [Duty of care: code of practice for managing controlled waste - gov.scot \(www.gov.scot\)](http://www.gov.scot)

Stage 2: Data and evidence gathering, involvement and consultation

Characteristic⁷: Age

Evidence gathered and Strength/quality of evidence

Littering-related proposals: Young people are considered slightly more likely to litter, but no group can be considered responsible for the majority of litter⁸.

Evidence gaps likely exist where there is no published information on the impacts.

Engagement with organisations representing people of different ages via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed. Care should be taken to ensure communications relating to proposals should be carried out effectively, including to protected groups

We are not aware of further relevant existing evidence at this time on age for the remainder of the policy proposals.

Littering -related proposals: People aged between 16 to 24 are more likely (35%) to report neighbourhood littering as very common or common, compared to 27% for those aged 60 to 74. The evidence suggests that litter is a social problem that particularly affects young people's perceptions of their own neighbourhood. Measures that could reduce littering may therefore be beneficial for young people⁹.

Littering and flytipping-related proposals: People aged between 16 to 24 are more likely to be in relative poverty after housing costs than older adults, so may face more challenges paying fines¹⁰.

Charges for environmentally harmful items: Young people expressed concern about the potential for this to result in price rises¹¹.

Characteristic: Disability

Evidence gathered and Strength/quality of evidence

Charging for environmentally harmful items and litter-related proposals: Life costs £583/month more on average if you are disabled. On average, £100 for a non-disabled person is equivalent to £68 for a disabled person. This may mean that any increase in cost of living is more challenging to manage¹².

Evidence gaps likely exist where there is no published information on the impacts. Further EQIAs will be undertaken as needed at the point that proposals for secondary legislation are being developed.

⁷ Refer to Definitions of Protected Characteristics document for information on the characteristics

⁸ [Rapid Evidence Review of Littering Behaviour and Anti-Litter Policies, Brook Lyndhurst for Zero Waste Scotland 2013](#)

⁹ [Scottish household survey 2018: annual report - gov.scot \(www.gov.scot\)](#)

¹⁰ [Poverty and income inequality in Scotland 2017-2020, Scottish Government National Statistics, 2021](#)

¹¹ [Single-use disposable cups: EPECOM recommendations, Expert Panel on Environmental Charging and Other Measures, 2019](#)

¹² [Disability Price Tag policy report, Scope, 2019](#)

In particular, the accessibility of recycling options may need to be considered, to ensure that disabled people are able to benefit from improved recycling services.

We are not aware of further relevant existing evidence at this time on disability for the remainder of the policy proposals.

Charging for environmentally harmful items and litter-related proposals: In 2016-19, the poverty rate after housing costs for people in families with a disabled person was 23%. This compares with 17% of people in a family without a disabled person¹³.

Charging for environmentally harmful items: Disabled people can face barriers to making more sustainable choices, because of affordability, mobility or needs such as the reliance on medical equipment¹⁴.

Charging for environmentally harmful items: The EQIA for the introduction of market restrictions for single-use plastic items has highlighted that single-use plastic drinking straws are an essential item for some disabled people. When items are considered for the introduction of secondary legislation, the suitability of alternatives for disabled people will need to be considered¹⁵.

Seizure of vehicles involved in waste crime: Vehicles seized using these powers in England are generally industrial or commercial in nature (for example vans, tippers, excavators and loaders). It is therefore not anticipated that the introduction of these powers would have any impact on the mobility of disabled people¹⁶.

Characteristic: Sex

Evidence gathered and Strength/quality of evidence

Charging for environmentally harmful items and litter and flytipping-related proposals: The median gender pay gap for all employees, including full and part-time employees was 10.9% in Scotland in 2021. However, pay and employment gaps are wider for women with another protected characteristic. This may mean that any increase in cost of living is more challenging to manage¹⁷.

Evidence gaps likely exist where there is no published information on the impacts. Engagement with gender representatives via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

We are not aware of further relevant existing evidence at this time on sex for the remainder of the policy proposals.

¹³ [Poverty and income inequality in Scotland 2016-2019, Scottish Government, 2020](#)

¹⁴ [Barriers to sustainability? Disabled and older people's experiences of being 'green', Research Institute for Disabled Consumers, 2021](#)

¹⁵ [Environmental Protection \(Single-use Plastic Products\) \(Scotland\) Regulations 2021: equality impact assessment – final, Scottish Government, 2021](#)

¹⁶ [Vehicle seizure notices, accessed 15/12/21](#)

¹⁷ [A fairer Scotland for women: gender pay gap action plan annual report, Scottish Government, 2021](#)

Charging for environmentally harmful items and litter and flytipping-related proposals: Relative poverty rates are highest for single women with children. This may mean that any increase in cost of living is more challenging to manage¹⁸.

Characteristic: Pregnancy And Maternity

Evidence gathered and Strength/quality of evidence
Not applicable

Evidence gaps likely exist where there is no published information on the impacts. Engagement with relevant representatives via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

We are not aware of any relevant existing evidence at this time on pregnancy and maternity in relation to the items included in the policy.

Characteristic: Gender Reassignment

Not applicable

Evidence gaps likely exist where there is no published information on the impacts. Engagement with relevant representatives via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

We are not aware of any relevant existing evidence at this time on gender reassignment in relation to the items included in the policy.

Characteristic: Sexual Orientation

Not applicable

Evidence gaps likely exist where there is no published information on the impacts. Engagement with relevant representatives via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

We are not aware of any relevant existing evidence at this time on sexual orientation in relation to the items included in the policy.

Characteristic: Race

Not applicable

Evidence gaps likely exist where there is no published information on the impacts. Further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

¹⁸ [A fairer Scotland for women: gender pay gap action plan annual report, Scottish Government, 2021](#)

We are not aware of any relevant existing evidence at this time on race in relation to the items included in the policy, however a response to the CE Bill consultation suggested the potential of adverse impacts by the proposal relating to the seizure of Vehicles. Further evidence gathering will be undertaken as secondary legislation is progressed.

Characteristic: Religion Or Belief

Not applicable

Evidence gaps likely exist where there is no published information on the impacts. Engagement with relevant representatives via the consultation may identify more impacts. However, further EQIAs will also be undertaken as needed at the point that proposals for secondary legislation are being developed.

We are not aware of any relevant existing evidence at this time on religion or belief in relation to the items included in the policy.

Characteristic: Marriage And Civil Partnership

Not applicable

(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) This policy does not relate to work, so it is not necessary to assess the impact on marriage and civil partnership.

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

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

Eliminating unlawful discrimination, harassment and victimisation: The evidence we have at this time suggests that these proposals for primary legislation are unlikely to have any impact on unlawful discrimination, harassment and victimisation.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations among and between different age groups: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations among and between different age groups.

Do you think that the policy impacts disabled people?

Eliminating unlawful discrimination, harassment and victimisation: The proposals for primary legislation are unlikely at this time to have any impact on unlawful discrimination, harassment and victimisation. However, consideration will be needed in the design of some elements of secondary legislation. This will build on the evidence gathered to date, and any additional evidence gathered during the consultation.

Advancing equality of opportunity: The proposals for primary legislation are unlikely to have any impact on advancing equality of opportunity. However, consideration will be needed in the design of some elements of secondary legislation. For example, when introducing charges on environmentally harmful items, potential impacts on disabled people will need to be evaluated.

Promoting good relations among and between disabled and non-disabled people: The proposals for primary legislation are unlikely to have any impact on relations among and between disabled and non-disabled people. At the secondary legislation stage, appropriate design of measures will be needed to avoid any issues with stigmatisation. For example, by classing certain items as environmentally harmful.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations between men and women: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations between men and women.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good race relations: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on race relations.

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

Eliminating unlawful discrimination: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any unlawful discrimination.

Advancing equality of opportunity: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on equality of opportunity.

Promoting good relations: The analysis of our evidence shows that the proposals for primary legislation are not expected to result in any impact on relations.

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

Eliminating unlawful discrimination: Not relevant to these policy proposals.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

No positive or negative impacts have been identified from the introduction of primary legislation as part of the Circular Economy Bill.

However, there is the potential for secondary legislation to have impacts on groups of people with protected characteristics, potentially with regard to age, race and sex and disability. This will be considered during the design of proposals for secondary legislation.

On present evidence, we do not believe that these measures are directly or indirectly discriminatory. Any new evidence, that results from the implementation of measures or coming to light during the Bill's passage through parliament will be supplemented by additional EQIAs carried out during the development of proposals for secondary legislation.

Describing how Equality Impact analysis has shaped the policy making process

This EQIA has helped to highlight areas where there may potentially be impacts on certain protected characteristics, especially at the secondary legislation stage. Appropriate engagement will take place during the public consultation at that stage to ensure that any additional concerns are identified.

Evidence available and gathered during the consultation has helped to inform, in line with good practice, this updated EQIA.

It should be noted that our initial assessment concluded that any impacts would arise from the introduction of secondary legislation, which would itself be subject to an EQIA.

Alongside the already identified protected characteristics groups, one further group, Race, was identified through the CE Bill consultation.

In addition, a number of comments received did not provide detail as to which proposal they felt may cause an effect on any given group. Rather these were broad statements urging Scottish Government to consider a specific group/s more generally across all proposals.

Findings from the original iteration of the EQIA remain the same at this time, and neither positive nor negative issues for protected characteristics groups from the introduction of primary legislation have been identified via the consultation responses.

Monitoring and Review

The first EQIA version identified areas where further consideration may be needed at the secondary legislation stage. The updated EQIA includes additional insight into these areas where consultation responses have highlighted potential issues/connections between the Proposals and protected characteristics groups. It remains appropriate for the design of a monitoring and evaluation strategy to be considered alongside the development of secondary legislation, as this is more likely to impact on protected characteristics.



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