Minister for Older People and Equalities
Christina McKelvie MSP

T: 0300 244 4000
E: scottish.ministers@gov.scot

Dr Ima Jackson
Professor Vittal Katikireddi
Co-Chairs
Expert Reference Group on COVID-19 and
Ethnicity

3 November 2020

Dear Dr Jackson and Professor Katikireddi

**RESPONSE TO RECOMMENDATIONS OF THE EXPERT REFERENCE GROUP ON COVID-19 AND ETHNICITY**

I am extremely grateful for the important work of the Expert Reference Group on COVID-19 and Ethnicity and for the recommendations on data and evidence and systemic issues put forward on 14 August. The Group has already helped in looking at how we respond to COVID-19 and the transition into recovery from the pandemic as highlighted in Protecting Scotland, Renewing Scotland: The Government's Programme for Scotland 2020-2021. As I have said before there is an opportunity to really begin to tackle head on and deal with the deep-rooted health and socio-economic inequalities that minority ethnic communities face, and the systemic failures to address these issues.

The annex attached sets out our initial response to the recommendations made by the Group. I have shared the ERG recommendations with my ministerial collegues and asked them to consider how the recommendations would apply to their portfolios. This work is complex, and creating a robust plan of action to drive the systemic changes the ERG has outlined in its recommendations necessitates a cross-portfolio response. This response should not be seen as our final answer on taking the recommendations forward but an update on an ongoing process. What is clear is that even in portfolios which do not have specific recommendations within their responsibility, there is a clear and compelling need to recognise the imperative of the key principles articulated through the ERG recommendations: that striving for race equality is everyone's business and that it is not sufficient for our actions to be non-racist, we must be actively anti-racist.

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I look forward to continuing to work and collaborate with the Group and I am happy to discuss any of these points in further detail.

**CHRISTINA MCKELVIE**

## DATA AND EVIDENCE

**Immediate action required**
- Recommendation 1: Make ethnicity a mandatory field for health databases
- Recommendation 2: Linkage to the Census – COVID-19 response
- Recommendation 7: Co-ordinated action
- Recommendation 9: Participation by Minority Ethnic People and Communities
- Recommendation 10: Monitoring workforce data
- Recommendation 13: Reporting data by ethnicity - Dashboard

**Short-term action required**
- Recommendation 3: Develop a CHI field
- Recommendation 4: Ethnic Group populations
- Recommendation 5: Social Care Data
- Recommendation 8: Primary care health ethnicity data collection
- Recommendation 11: NHS Workforce Data
- Recommendation 12: Social Care Workforce Data
- Recommendation 13: Reporting data by ethnicity – National Performance Framework
- Recommendation 14: Accountability and Governance

**Longer-term action required**
- Recommendation 6: Flexibility in data collection
- Recommendation 13: Reporting data by ethnicity – Annual Report

Response

1.      As you are aware, the Chief Executive of NHS Scotland wrote to Health Boards on 23 June about the importance of improving the quality of minority ethnicity data for hospital activity returns to Public Health Scotland (PHS). The letter also highlighted the need to focus on listening to the voices of our minority ethnic staff to address any concerns they have had in relation to COVID-19; and moving forward, any anxieties, they may have in relation to remobilisation.

2.      We recognise that we need to go further and the Scottish Government accepts the recommendations made by the ERG as above and will give them our full consideration. We will will take a co-ordinated approach working with PHS, NHS Education Scotland, local authorities and Health Boards to take forward these recommendations. It is the case that some of these recommendations will be challenging, both in terms of the resources required, but also the potential impact on other key priorities at this critical time of remobilisation of the NHS. It is too early to give precise timings on each of these recommendations but we will use the priorities set out by the ERG to guide our actions.

3.      Work is already underway reflecting our commitment to improve the data and our wish to make progress. PHS is leading a programme of work to establish a clearer picture of the impact of COVID-19 on minority ethnic communities in Scotland. However, consistent with the Programme for Government commitment to embed the process of ethnicity data collection in the culture of the NHS in Scotland the task cannot be the preserve of PHS alone and the leadership required will be shared with the Scottish Government and NHS Scotland. PHS are already working with analytical partners across the Scottish Government, NRS, and

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the NHS, discussions are underway with NSS and NHS Inform on adaptation of the current patient registration form to support better recording of ethnicity data.

4.      It would be useful for PHS and Scottish Government data analysts to discuss the current and future programme of work with the ERG.

5.      The ERG also stated that COVID-19 has highlighted the issue of racism experienced by many of those working in the health and social care sector. This is extremely important and as highlighted in [Protecting Scotland, Renewing Scotland: The Government's Programme for Scotland 2020-2021](#) we are taking a number of actions:

- Many minority ethnic staff in health and care services felt anxious about protecting themselves and their families during the pandemic. To address this, the Scottish Government published occupational risk assessment guidance to help staff and managers consider the specific risk of COVID-19 in the workplace

- By the end of 2020 the Scottish Government will establish a national race equality network to produce an action plan with annual progress targets for health and social care employment at all levels of seniority in relation to minority ethnic groups

- Through our Leadership and Talent Management Programmes, the Scottish Government will increase the numbers of minority ethnic staff in senior and executive team roles

- The Scottish Government will ensure new and existing minority ethnic staff networks in health and social care have a voice and influence to drive change, by introducing clear lines of governance and accountability, up to Board level

- The Scottish Government will work with staff networks and health and social care employers on a campaign to improve the accuracy of workforce ethnicity data

**Recommendation 2: Linkage to census.**

6.      The Scottish Government agrees with the ERG that the census currently provides the most robust information on ethnicity for the population of Scotland. We accept that it is important that we explore how census data can be used to improve data quality and facilitate timely and responsive analysis of inequalities in health.

7.      We note that the ERG recommendations report found that although data on ethnicity has been recorded in many NHS Scotland administrative systems for some time, the levels of recording and data quality have often been too poor to allow meaningful analysis. We therefore welcome this proposition from the ERG to improve ethnicity coding through improved data infrastructure.

8.      The National Records of Scotland (NRS), who lead on the Census, has participated in the ERG and on the data sub-group. While the majority of issues identified by the ERG will be for Public Health Scotland and NHS to consider there are areas where NRS and the wider Scottish Government have a role to play in supporting delivery against the recommendations. This is particularly true around how data on ethnicity is collected, linked

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and published and improvements in the completeness and detail of these and other important equalities data.

## SYSTEMIC ISSUES.

## Recommendation 1: Emergency Sustenance Fund Payment

9.      The use of an emergency sustenance fund payments delivered by BEMIS during the pandemic was hugely important in ensuring that some minority ethnic families and individuals were able to access food and other supplies regardless of their immigration status. The proposal to use the existing infrastructure of state support for people and families across Scotland is interesting and will be considered further alongside the learning and needs identified through the current programme. At this time there are advantages to third sector providers continuing to deliver the emergency sustenance fund payment should it be required.

## Recommendation 2: No Recourse to Public Funds

10.      The Expert Reference Group has acknowledged policy on No Recourse to Public Funds (NRPF) is reserved, as it is part of UK Immigration Legislation and Rules. The Scottish Government and local authorities cannot lift or amend rules about access to statutory support, which are listed for the purposes of NRPF policy in the Immigration Rules. This includes universal credit and the Scottish Welfare Fund. Local Authority housing and homelessness services are also restricted.

11.      Scottish Government Ministers have repeatedly raised the issue of NRPF with Home Office Ministers and expressed deep concerns about the impact it has on people living in Scotland, both prior to and during the Covid-19 health emergency. Scottish Government Ministers have consistently urged the UK Government to ensure that people subject to NRPF can access the support they need to stay safe, so that they are not at risk of destitution and homelessness. However, the UK Government has declined to change its policy on NRPF.

12.      The Scottish Government has committed to the development of an anti-destitution strategy, focusing on how people who are subject to NRPF can be better supported. The strategy will have to operate within a devolved context and is therefore a highly complex piece of work. In February 2019, as a first step toward the development of the strategy, the Scottish Government and COSLA jointly published guidance for local authorities on NRPF. The guidance set out the legal framework within which local authorities have to make decisions about provision of support. Scottish Government officials also contributed to additional COSLA guidance for local authorities on support for people subject to NRPF during the COVID-19 pandemic which was published on 20 April 2020.

13.      From July 2019 to March 2020, the Scottish Government and COSLA jointly undertook engagement to inform the anti-destitution strategy. During the first phase, meetings were held with key stakeholder organisations and people who have lived experience of NRPF.

14.      Further development of the strategy has had to be paused, due to the need to focus resources on COVID-19. We have used feedback from the strategy engagement to inform our response to the crisis. This included acting quickly to use powers available due to the

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health emergency to ensure that everyone could access accommodation, regardless of their immigration status; making funding available to support communities which was not restricted under NRPF; and making nearly £275,000 available as part of immediate priorities funding to six organisations providing access to essential needs (including food and emergency crisis grants) and support for people subject to NRPF during lockdown.

15.     The Scottish Government remains committed to the development of an anti-destitution strategy focusing on support for people with NRPF, using the knowledge gained through the engagement undertaken up to March 2020. In addition, the lessons we have learned from the response to COVID-19 will also help to inform the strategy, and we will also consider recommendations made by groups, including the Expert Reference Group on COVID-19 and Ethnicity, as part of this work.

## Recommendation 3: Test and Protect and future health measures

16.     The Scottish Government agrees with the ERG's recommendation that we must ensure our response to COVID-19, across a wide range of policies including, specifically, Test & Protect, shielding, vaccinations, and public health messaging specifically considers and responds to the needs of minority ethnic communities. Achieving this means actively engaging with minority ethnic communities and facilitating participation at all levels of the COVID-19 response. This is vital given the prospect of a second wave of the virus in respect of which planning is already underway.

While we accept there is more to do, we hope the following illustrates our commitment to ensure our approaches reflect the diversity of the communities we serve:

- With regard to **Test and Protect**, we are committed to ensuring the service (Test, Trace, Isolate and Support) meets user needs including the needs of minority ethnic communities. We plan to do this by gathering customer insights in the short-term and generating continuous feedback loops to inform service design and improvement activities. Through the insights work, we will proactively consider the engagement of minority ethnic user groups in the design and the pathway mapping processes.

    We are currently working with partners to establish an Insights function and the means through which we can stay connected and respond to users' experience, wants and needs on an ongoing basis. Draft proposals are to;

    - Initiate a qualitative study and gather qualitative feedback from users who have experienced Test & Protect
    - Gather a representative set of opinions on Test & Protect through the Health and Social Care Alliance citizen panel
    - Develop feedback loops from existing channels/sources e.g. Care Opinion and Health Board complaints data
    - Establish ad hoc insight sources to support design-led improvement

    All this work will, of course, be informed by the EQIA spanning the Test & Protect programme.

- Our **Flu Vaccine and Covid Vaccination Delivery** Programme Management and Delivery team is working to ensure that communications with people from minority ethnic

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communities by COVID-19 vaccination teams will be effective and that vaccination teams incorporate processes and expertise which reflect the diversity of the communities they serve and the intersectional framing of their experiences. This work is primarily focused on the following areas: Vaccine Confidence, Informed Consent and Advice; and Marketing and Communications.

- Following the pause of the **shielding programme** from 1 August, our focus has been on providing those at the highest risk of severe outcomes from COVID-19 with information to support them to understand their risk and steps they can take to mitigate it. We are working with the UK Government and University of Oxford to ensure that up-to-date and robust evidence drives our policy on supporting those most at risk. The University of Oxford work takes into account health conditions, age, sex, BMI, deprivation and ethnicity in determining individual risk levels.

  We contact and update individuals using an SMS shielding support service, which has over 105,000 people registered. People who have been shielding will shortly be able to receive regular infection updates for their local area, delivered via SMS to provide information for a local assessment. We are actively engaging in user research to ensure the service meets their needs. We continue to work with Local Authorities, GPs and health boards to ensure that everyone has access to appropriate support. We are very aware of the particular challenges of communicating effectively and engaging with people in Scotland's minority ethnic communities, and this is built into our comms work.

17.    More generally, we agree with the points made by the ERG on the importance of **prevention and health promotion**. While the following are not the only routes, the refresh of the improvement plans for diabetes (Type 1, Type 2 and gestational) and CVD, the Women's Health Plan to which we committed in the Programme for Government, and continued implementation of the Type 2 Diabetes Prevention Framework, present major opportunities to focus on people at risk of severe COVID-19 outcomes, including as a result of their ethnicity, and to work with minority ethnic groups to develop culturally competent interventions.

### Recommendation 4: Fair Work Practices

18.    The joint statement of fair work expectations has helped to ensure employers, workers and Trade Unions address workplace issues during lockdown. The refreshed Fair Work statement published in July aims to do the same as the economy moves into recovery.

19.    We will work with stakeholders to develop a Fair Work position on race to articulate a clear message on race equality in Fair Work and we will ensure this message is embedded in engagement and communication of Fair Work practice to employers.

20.    To ensure that we maintain traction on this issue we will, in our dialogue with employers, Trade Unions and stakeholders, discuss in what way specific considerations have been given to minority ethnic workers when applying fair work practice including health and safety at work, fair treatment at work, enabling effective voice and highlighting effective and inclusive recruitment practice. This will also involve working across policy areas including health to take account of particular settings.

*Fair Work Practices in Health*

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21.    Whilst clearly this is something we want to see in every workplace, ensuring fair work practices across health and social care is a high priority.

22.    In July we published COVID-19 Occupational Risk Assessment Guidance. Staff should be active participants in this risk assessment which uses factors including age, ethnicity, BMI in addition to underlying health conditions to stratify risk. Staff and managers should then have a supportive conversation about how they can return to work safely which should be agreed by both parties.

23.    Looking ahead, we will be focussing on increasing the numbers of minority ethnic staff in senior and executive team roles through our Leadership and Talent Management Programmes. In tandem, we are building a broad coalition of leaders at all levels across health and social care as senior allies, with reducing workforce inequalities as a core common purpose. To that end, we are working with organisations at Scotland and UK-wide level that are already doing work in this area, such as the British Medical Association and the Royal Colleges. We will also establish a national race equality network bringing together the Chairs of minority ethnic staff networks, equalities and diversity leads and other key stakeholders. The national network will provide oversight and co-produce an action plan to tackle systemic racism in the health and social care workforce.

24.    We have asked Health and Social Care Partnerships to establish more minority ethnic staff networks, as a priority. A toolkit has been co-produced to help new and existing networks have a voice and influence to drive change. The toolkit makes clear, that staff networks need clear governance and lines of accountability, to empower them in their work.

## Recommendation 5: Investment in Minority Ethnic Organisations and mental health services

25.    The Scottish Government will fully consider the recommendation, in consultation with our local delivery partners including NHS Boards. However, mental health is relevant to a number of recommendations in the report including the recommendations relating to data and evidence, access and engagement, workforce and public health messaging and population response. We believe there is significant scope for us to pick up further dialogue with relevant stakeholders, including the ERG, to ensure we understand the collective and individual experiences of ethnic minorities and consider not only this specific recommendation, but also how we mainstream our consideration of race through our wider mental health mobilisation activity. The Programme for Government sets out a commitment to launch a Transition and Recovery Plan for Mental health and, as a component of this, we will establish an Equality Forum to help us identify the specific actions that we should take to address mental health inequality on an individual and structural basis. The issue of race is relevant in all aspects of this work. As part of this, we will actively review what research is required nationally to further our understanding of the impact of the pandemic on the mental health of ethnic minorities.

26.    [The Principal Medical Officer Alistair Cook would be happy to speak to the ERG if it would helpful to brief the group on the mental health landscape, the work we are doing and our priorities going forward.]

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## Recommendation 6: Public Health Messaging

27.     The Scottish Government accepts the recommendation to ensure the inclusivity of public health messaging and am committed to ensuring we take account of the recent SAGE advice and other evidence of what works. We note the ERG's concerns about the potential for negative repercussions and want to consider carefully how we can best address this.

28.     While there is more to do to ensure we achieve this across all our activity, the Marketing team has done a lot of work to better understand language and accessibility requirements and collaborate far more widely. Given the fast-moving nature of our coronavirus campaigns, and mindful of the lead time with translations and the danger of out-of-date information being shared and distributed, colleagues have focused on working in partnership to create and distribute key coronavirus information to benefit the wider community.

29.     On Test & Protect, by way of an example, officials have collaborated with MECOPP (Minority Ethnic Carers of People) to co-produce alternative voiced over versions of the Infographic Video outlining the Test & Protect process. This took account of advice from MECOPP who identified communities where there is limited literacy in both English as well as their mother tongue. Looking ahead, there are plans in place for further collaboration with BEMIS on the Protect Scotland App campaign. BEMIS has confirmed they will work with us to develop supporting materials and share this information across their main networks and membership across Scotland.

## Recommendation 7: Accountability - Independent Oversight Commission

30.     The Scottish Government will instigate a review of past and current initiatives to tackling racism and systemic racism and their effectiveness. As set out by the Group we need to understand the barriers to implementing previous recommendations. As recommended by the Group we will also explore the options for the proposed Oversight Commission. The Group provided a very useful outline of the elements that need to be embedded in an effective accountability and governance infrastructure and this will form the basis of the exploration. We welcome further views from the Group as to how expertise from the existing membership and beyond could be best utilised to guide and shape this developing thinking.

## Recommendation 8: Functions

31.     The list of functions that the Group propose the accountability and governance infrastructure should include is very helpful and will help inform the exploration of the independent Oversight Commission as put forward in recommendation 7. Further, as recommended by the Group the Scottish Government will look to take forward an equalities audit across the Scottish Government and the wider public sector.

## Recommendation 9: Anti-Racism Actions

32.     We welcome the Group's recommendation that the Race Equality Action Plan, due to be renewed in 2021, should have a clear focus and that the actions in any revised plan should be explicitly anti-racist, with clear actions, outputs and measurable outcomes.

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## Recommendation 10: Corporate Accountability

33.      As the Group recognise leadership is crucial to addressing systemic racism across the public sector. We are considering how best to take forward the recommendation to include an anti-racist progress measure in the performance objectives of all Scottish Government Directors and Chief Executives (or equivalent) of every public body in Scotland.

## Recommendation 11: National Performance Framework

34.      The National Performance Framework website includes a link to the associated Equality Evidence Finder website where it is possible to find evidence by policy area or equality characteristic, including a tool to explore National Performace Framework indicators. The site is still in beta at the moment and it would be very useful to get feedback on the website from members of the Group, including where it can improve to meet the recommendation to include analysis and narrative on disparities for minority ethnic people. Specific analysis of the impacts of COVID-19 on protected groups is also available.

## Recommendation 12: A Measure of Racism

35.      The Scottish Government will explore the potential for a workable measure of racism and discrimination and its impact on physical and mental health.

## Recommendation 13: Housing and Overcrowding

36.      The Scottish Government will take action with local authorities to mitigate the risk of poor accommodation or overcrowding in some minority ethnic groups, such as migrant workers, asylum seekers and Gypsy Travellers. Housing conditions have been suggested as one of the possible explanations for the disproportionate impact of COVID-19 on Minority Ethnic groups[1]. In particular, the low percentage of minority ethnic people in social housing should be looked at and addressed as set out in a recent report. [2]

37.      We recognised that Gypsy/Travellers would face additional risks during the COVID-19 outbreak and developed a framework to assist Local Authorities and their partners, including the NHS and the third sector, in decision making in their local response.  For the longer term, work is already being done with the Gypsy/Traveller community to deliver on our commitment to more and better accommodation under the Gypsy/Traveller Action Plan, published in October 2019.  This includes a one off capital investment of £2 million in existing public sites in 2020-2021, for site improvements over and above the minimum standards for Gypsy/Traveller accommodation, based on engagement with site residents.  We are working with COSLA to progress the accommodation actions in the Gypsy/Traveller Action Plan and ensure that the needs of Gypsy/Travellers are included and are appropriately and collectively resourced going forward and have included these commitments in the PfG.

38.      More generally, to tackle poor conditions in the private rented sector, provisions were included in the Housing (Scotland) Act 2014, to give local authorities a range of new discretionary powers, for example, third party entry and reporting for failure to comply with the repairing standard. These supplement existing powers associated with landlord

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[1] https://housingevidence.ac.uk/the-unequal-impact-of-covid-19-on-black-asian-minority-ethnic-and-refugee-communities/

[2] Minority Ethnic Communities and Housing in Scotland - Room for Improvement? CRER July 2020

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registration and enforcement of the repairing standard, as well as placing new requirements on landlords themselves. These powers give local authorities the ability to deal with all but the most exceptional cases of poor conditions in the private sector.  Where such exceptional cases arise, section 28 of the Housing (Scotland) Act 2014, enables local authorities to apply for further powers by having an affected area designated as an Enhanced Enforcement Area (EEA). These powers have been effectively used twice to address poor housing conditions in Govanhill in Glasgow.

39.    In addition, the Scottish Social Housing Charter sets out the outcomes and standards social housing landlords should be achieving in relation to housing activities. This includes outcomes on equalities and access to housing. The *Equalities* outcome requires that  social landlords perform all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services. The *Access to social housing* outcome requires social landlords to ensure that people looking for housing find it easy to apply for the widest choice of social housing available and get the information they need on how the landlord allocates homes and on their prospects of being housed. Landlord performance against the Charter is monitored and reported on by the Scottish Housing Regulator. The Scottish Government published guidance on social allocations in February 2019 " Social housing allocations in Scotland- practice Guide" which provides includes guidance on equalities.

40.    Alongside these existing measures, the Scottish Government is currently conducting an evidence review on the housing needs and experiences of minority ethnic groups. This will assess the existing evidence, identify key evidence gaps and determine if further research is required where we want to increase our understanding of specific issues. Key topics in the evidence review include current trends in housing for minority ethnic groups, tenure, housing quality, homelessness and access to housing services. It will also explore what more can be done to meet the specific housing needs of minority ethnic groups, including in the context of COVID-19. This will increase our understanding and help to inform future action to address poor accommodation for some ethnic minority groups and ensure our approach to housing helps to address inequality.

**Recommendation 14: Recovery and Remobilisation Plans, Investment Fund and Reporting**

41.    We want to ensure that everybody who can and wants to work has the opportunity to find fulfilling and sustainable employment suitable to their needs and skills, and that those facing barriers to employment, including people from minority ethnic groups, can access any additional support they need.  The longer term impact on employment opportunities of disabled people, young people, and people from minority ethnic groups in particular is not yet known – intersectionality is likely to further impact these groups.

42.    As we develop our employment and skills response to the current economic crisis, we will seek to minimise and address any negative impact of COVID-19 on groups particularly affected in our economic responses to the pandemic.

43.    We continue to work towards embedding the No One Left Behind approach across the Scottish employability system, the shared future vision for employment support in Scotland. In partnership with Local Government, we are working towards an employability system that has the user at its centre.  We want those using employability services to have a

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meaningful say in the design of support.  The success of Social Security Scotland's Lived Experience Panels offers an example from which we can learn.

44.     In addition to existing employability and skills funding across Scotland, we have committed to invest £100 million in supporting young people through our Youth Guarantee of education, training or employment for young people across Scotland, those facing redundancy or those who need to retrain to help them secure work in new sectors. Through a package of measures that reaches across the employability and skills interventions we will ensure the equalities agenda is at its heart.  We know that some of the hardest hit sectors are leisure, tourism, hospitality, retail where traditionally young people and many young ethnic minority people have secured jobs. As part our continued commitment to Fair Work First we will explore opportunities around procurement to support youth employment and encourage diverse and inclusive recruitment practices.

**Apprenticeships and Equality**
45.     Apprenticeships are a core part of our skills system, supporting high quality jobs and enabling employers to gain the skilled workforce they need and they will  play a crucial role in supporting economic recovery.

46.     As part of its 5-year Equality Action Plan for Apprenticeships, SDS is working with partners to increase the number of disabled people; minority ethnic groups and care leavers entering Apprenticeships. The plan includes a target to increase the number of MA starts from minority ethnic communities to equal the population share by 2021.

47.     The long term aim of the plan is to effect systemic change, which requires a major cultural shift in relation to the career pathways that people choose and to the recruitment and employment practices of employers. SDS produces an annual update on the plan and the 4th Year update is expected next month.

48.     Prior to COVID-19, SDS was planning to undertake focus groups with ethnic minority customers to understand their perceptions of apprenticeships and any potential barriers to accessing them and is considering how do this in a virtual environment.

**Data**
49.     The collection of meaningful data to enable us to assess progress will be essential. We will continue to work with partners to improve the data collected to offer a clearer assessment of minority ethnic participation and outcomes from the support we offer.

50.     In addition we are working with the Office for the Chief Economic Advisor (OCEA) to analyse labour market statistics which will allow us to monitor any changes to priority groups' position in the labour market, including: disabled people; women; young people; and people from minority ethnic groups. Intersectionality  is of particularly importance to us as we know this can further impact positive outcomes for individuals and communities.

**Health**

51.     Within health, **Re-mobilise, Recover, Re-design: The Framework for NHS Scotland,** was published on 31st May.  It sets out how Health Boards will follow national and local clinical advice to safely and gradually prioritise the resumption of some paused services. The Framework establishes a number of assumptions, principles and objectives for safe and effective mobilisation which including recognising the importance of addressing

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inequalities, noting that the pandemic has exposed and exacerbated deep-rooted health and social inequalities, and also ensuring that there is a person-centred approach into our remobilisation work.

52.    A Mobilisation Recovery Group, which involves a wide range of stakeholders and delivery partners, has been established to provide advice on the remobilisation process and the application of the framework. Working under the auspices of the Group, work has been commissioned from the Alliance to secure a wider person-centred user focus into the remobilisation work. This will involve active and structured engagement to ensure that decision-making fully involves people and is informed and influenced by lived experience. This work is a component of the wider work we will need to do to ensure remobilisation plans do not discriminate against people from ethnic minorities. Going forward, we would welcome input and engagement from the ERG to help embed an Equalities and Human Rights approach.

53.    We recently wrote to the Boards asking them to safely and incrementally resume paused services as quickly as possible while continuing to maintain a COVID-19 capacity and resilience. As part of this, Boards were asked to consider reducing health inequalities, especially given the emerging evidence around disproportionate impacts of COVID-19 on ethnic minority communities and those living in more deprived areas. NHS Boards have now submitted their plans to end March 2021 which have been reviewed and will soon be published on NHS Board Websites. They will be reviewed and updated as part of the ongoing iterative planning process, including to ensure that they meet the requirements of the key Framework objective to ensure that the health and social care support system is focussed on reducing health inequalities.

54.    We will continue to work with Boards to ensure that current Re-mobilisation Plans are both as robust as possible and meet the key framework objectives, including ensuring the health and social care support system is focused on reducing health inequalities. We welcome engagement to ensure that this work is focused on the issues raised by the ERG.

**Race Equality Transformational Investment Scheme**
55.    As we develop our response to the current economic crisis, we will seek to minimise and address any negative impact of COVID-19 on groups particularly affected by the pandemic and are open to new ideas. This proposal for a transformational investment scheme is interesting and is being looked at by a team of officials across a number of Ministerial portfolios.

## Recommendation 15: Employment

56.    We have developed and published a Minority Ethnic Recruitment toolkit. The toolkit draws on effective practice identified and aims to support employers to improve the recruitment of minority ethnic people. The toolkit gives advice on the importance and use of workforce data to help determine approaches for recruitment campaigns when looking to improve recruitment of minority ethnic groups into the workforce. This will help employers create more diverse workplaces and be reflective of the communities they serve. In tandem with this we are engaging with employers to discuss recruitment practice and how the advice and guidance in the toolkit can be applied. We will be promoting the use of the toolkit through a range of communication channels.

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57.	Through continued engagement and discussions with employers we will broaden the scope to include a focus on how well minority ethnic workers are supported to stay in their jobs or progress in their careers. We recognise that retention and progression is equally important to support fair representation at all levels within an organisation including senior levels.

58.	Creating more diverse and inclusive workplaces is a key theme in the Fair Work Action Plan.  Improving workplace equality is ever more pressing as we know that particular groups are disproportionately affected by the impacts of the pandemic including minority ethnic groups. Our Fair Work First policy aims to reward and encourage employers adopting fair work practice by attaching Fair Work criteria to grants, other funding streams and contracts awarded by and across the public sector  As such, we are asking employers to commit to:

- Appropriate channels for effective voice and employee engagement, such as trade union recognition
- Investment in workforce development
- Action to tackle the gender pay gap and create a more diverse and inclusive workplace
- No inappropriate use of zero-hours contracts
- Payment of the real Living Wage

59.	These commitments and in particular the creation of more diverse and inclusive workplaces will be articulated as we develop our Fair Work position on race.

## Recommendation 16: Change the Curriculum for Excellence

60.	We are committed, though Scotland's Programme for Government 2020, to promote and support better teaching and learning in our schools about Black and ethnic minority history and the importance of tackling racism in society today.

61.	Equality and diversity are at the heart of policies that underpin all aspects of school education in Scotland, and the Scottish Government and its education and skills partners are committed to advancing race equality, tackling racism, and eliminating racial discrimination.

62.	The Curriculum for Excellence framework provides opportunities for children and young people to learn about all aspects of the history, heritage and culture of Scotland, including Black history and Scotland's colonial history and role in the slave trade. This is largely delivered through history and modern studies learning within the wider social studies curriculum.  However, there are also other opportunities across the Broad General Education and Senior Phases of the curriculum to learn about race equality and diversity. The flexibility of Curriculum for Excellence promotes learning about these wherever learning takes place, including across all curricular areas and outside the classroom itself.  It allows the teaching profession to adapt and respond to the needs and circumstances of all learners, to develop and deliver a curriculum that suits them and their communities.

63.	As part of the global reverberations of the Black Lives Matter movement and in response to correspondence and feedback received by Scottish Ministers, we recognise the need to review the guidance and resources that underpin learning and teaching in our schools, and the policy and practice within our systems to ensure that the leadership, tools

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and opportunities are in place to embed and ensure schools help equip young people to advance race equality and diversity.

64.    The starting point for this commitment is to take stock of the existing systems and structures in school education and understand where gaps exist and how to address them. To this end, Education Scotland are working to exemplify how race equality can be addressed through whole-school approaches, and also to provide more resources to support teachers to plan and provide teaching about Black history in schools. This work will be completed by March 2021.

65.    Alongside this we will listen to the views of people and organisations that can help to identify the actions that will lead to meaningful and sustainable change. The process has begun with stakeholders in the race equality and education sectors being invited to discuss the key issues at events in October and November.  As part of this we will consider:

- the concerns raised by the race equality sector and in the correspondence about teaching and learning of Black history and race equality in the curriculum in schools;
- what materials and resources are available to support the teaching of Scotland's Black history and to promote diversity across the curriculum in schools, and to what extent they meet the needs of the workforce;
- how to enhance opportunities for, and access to, impactful professional learning on race equality and the teaching of Black history for the education profession;
- how we can strengthen mechanisms to embed diversity across education and skills development, for example with mentors and employer engagement with schools;
- whether changes are needed to the Curriculum for Excellence framework; and
- progressing diversity in the teaching workforce commitments.

66.    Following this engagement, the Deputy First Minister has committed to meeting with key stakeholders to identify what additional steps will be taken including whether changes are needed to the Curriculum for Excellence framework. We are aiming for the meeting to take place before the end of the year.

## Recommendation 17: National Museum and Statues

67.    The Scottish Government recognises and values the important role which our shared cultural heritage plays in shaping our national identity. We want to show that Scotland is a modern, inclusive nation which protects and respects people equally. In support of this, we have set out in the 2020-21 Programme for Government a commitment to sponsor an independent expert group to recommend how Scotland's existing and future museum collections can better recognise and represent a more accurate portrayal of Scotland's colonial and slavery history. To ensure there is curatorial independence, the lead will be taken by our museums development body, Museums Galleries Scotland (MGS).

68.    MGS announced the group will be chaired by Sir Geoff Palmer who is a renowned scientist, human rights activist, Professor Emeritus in the School of Life Sciences at Heriot-Watt University, and the first black professor in Scotland. He brings to the steering group a wealth of knowledge and experience as an anti-racism campaigner and he regularly writes and speaks about Scotland's role in slavery and colonialism. Key partners in this work will be CRER and Glasgow City Council, to link up with the valuable existing work they have already carried out. This will include how best to reflect, interpret and celebrate the wide-ranging and positive contributions that ethnic minority communities have made and continue to make to

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Scotland. Ensuing strong representation by ethnic minority people will be essential to the success of this project, with seven steering group members have been confirmed to date, and further names to be confirmed soon. These are Silence Chihuri (Fair Justice System for Scotland Group), Foysol Choudhury (Edinburgh and Lothians Regional Equalities Council), Abeer Eladany (University of Aberdeen), Jatin Haria (Coalition for Racial Equality and Rights), Lewis Hou (Science Ceilidh and the Anti-Racist Educator Collective), Steph Scholten (ICOM Ethics Committee and MGS Board member) and Zandra Yeaman (The Hunterian, University of Glasgow).

69.     We recognise the questions raised in relation to the value and significance of statues and other aspects of our historic environment are important and complex. I am keen to encourage wide-ranging and inclusive dialogue on this subject, particularly concerning how to best manage, present and protect elements of our contested or hidden heritage. The removal or covering of statues in public places and any decision on such actions is the responsibility of the relevant local authority and the Scottish Government has no direct jurisdiction over such activity. We would encourage the Group to submit views to the relevant local authorities for consideration.

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