

# Equality and Human Rights

## Mainstreaming Strategy Consultation

Zero Tolerance Response, February 2025

### Proposed Vision and Objectives

#### 1. Do you agree with the vision?

- Yes
- No
- Don't Know

#### 1a. Please explain your answer or provide more information

Zero Tolerance agrees with the ambition set out in the Vision. It is encouraging to see the necessity of people in Scotland being 'safe' explicitly referenced. This aligns with our vision for a Scotland free of men's violence against women and girls.

The Vision would benefit from a line which makes explicit reference to the need for the strategy to achieve equity for those who are currently furthest from realising their human rights. This includes multiply marginalised women and girls.

Despite this, the vision is very community focused. It emphasises the changes we want to see in communities in Scotland. This is admirable, but mainstreaming is fundamentally about the workings of government. Of course, the aim is for the impact of mainstreaming to be felt in communities. However, it would be useful to also have a vision set out for how the strategy will change the functioning of government in Scotland. For example:

'To create a Scotland where everyone experiences equality and enjoys their human rights. Communities will be diverse, inclusive, empowered, resilient and safe. We are committed to creating a government which recognises the value of equality-focused work, prioritises human rights as standard practice, and is made up of a workforce of

people who are committed to achieving positive change. We are committed to tackling the persistent and entrenched systemic inequalities that still exist in Scotland and realising the human rights of those who are currently the furthest from power. Through this we will advance and improve Scotland's position as a global leader in equality and human rights.'

## **2. Do you agree with the objectives?**

- Yes
- No
- Don't Know

### **2a. Please explain your answer or provide more information**

The objectives set out are admirable. However, they lack specificity and are not measurable. Objectives should be focused on the outcomes which the strategy seeks to deliver. They should be specific, measurable, achievable, relevant, and time-bound. This may increase the number of objectives, as they should set out the specific outcomes sought for various equality groups.

For example, explicitly stating:

'The strategy aims to achieve the following:

- 100% of Scottish Government and public authority staff have a good understanding of mainstreaming by 2030.
- Women's needs are explicitly referenced in 100% of Scottish Government policies by 2035.
- Equalities Leadership in the Scottish Government is at a sufficiently high level to influence and hold to account the mainstreaming actions of all SG Directorates, by 2026.'

The above list represents illustrative examples and is non-exhaustive. Throughout our response we have included draft outcomes for each of the Drivers. These are also

meant to illustrate what an effective outcome should look like, and are not a complete list of all the outcomes required in the strategy.

The outcomes should be developed as part of a complete Theory of Change, covering the problem, the vision, outcomes, indicators, barriers, drivers, and short-, medium- and long-term actions. Creating a complete Theory of Change will support the identification of barriers to implementation, which will allow the Strategy to actively engage with these issues in order to overcome them. At present, barriers remain unaddressed within the strategy, which means they are unlikely to be overcome.

The outcomes agreed should support the achievement of the vision, and support new, equality-focused National Performance Framework Outcomes. They should also align with the PSED Equality Outcomes currently being drafted, and potentially use the same wording for some of them. In our responses below, we set out further possible outcomes that could sit within the strategy, and be used to develop the actions within the framework which follows. We have focused on these rather than actions, because we believe the theory of change within the strategy needs to be further developed before actions can be suggested.

## Strengthening Leadership

**3. Do you agree that strengthening leadership is a key driver for mainstreaming equality and human rights?**

- Yes
- No
- Don't Know

**4. Do you agree with the focus on different levels of leadership?**

- Yes
- No
- Don't Know

**5. Have we captured the core elements of strengthening leadership within the context of mainstreaming?**

- Yes
- No
- Don't Know

**5a. Please explain your answer or provide more information.**

Whilst the ambition of this Driver is admirable, there is a startling lack of specificity in how it will be implemented to embed mainstreaming. Specific and measurable outcomes must be agreed, so that the Action Plan can effectively set out how the ambition will be achieved. Zero Tolerance recommends creating outcomes in line with the following themes.

Firstly, diversity in leadership is vital. Women are under-represented across all leadership positions in the public sector (Engender, 2023: 1). We need 50% of leadership positions to be held by women, and for those women to include significant numbers of disabled, LGBT+, younger, older, and women of colour. Women leaders must also be spread across government, rather than siloed in stereotypically 'feminine' fields such as education and the arts.

As discussed, this should be integrated into a Theory of Change which acknowledges barriers and creates outcomes to support overcoming those barriers. For example:

*Barrier: A lack of diversity in Scottish Government leadership positions.*

*Outcome: Diverse women account for 50% of leadership positions throughout Scottish Government by 2030.*

Having women in leadership positions is not enough, however. All leaders, of all genders, must be gender competent. Gender competence is defined as 'individual and organisational capacity to apply gender analysis to policy or programme development with the aim of advancing gender equality. It refers to the skills, knowledge and analytical capability to develop statistics, data, policy, or programmes that are well-

gendered; that take account of the socially constructed difference between men's and women's lives and experiences' (Engender, 2020: 7).

As noted by Engender, 'Public bodies increasingly attempt to consider multiple characteristics at the same time, and without adequate data or characteristic-specific competence' (2017). Therefore, specific gender competence is vital for all leaders if they are to be effective in embedding gender mainstreaming as a means of achieving equality for all women and girls in Scotland.

The strategy must set out the need for this competence among leaders explicitly. Indeed, skills in these areas must be scored during recruitment of leaders, across all areas of government. Further, given the central role of leaders in setting culture, values and commitment to equality must also be considered in recruitment of leaders across the Government.

As discussed, this should be integrated into a Theory of Change which acknowledges barriers and creates outcomes to support overcoming those barriers. For example:

*Barrier: Insufficient gender competence among civil servants, including at leadership level.*

*Barrier: Variable commitment to gender equality and gender mainstreaming across the civil service, including at leadership level.*

*Outcome: Intersectional gender competence is a core competency for recruitment, development and review of all high-level Scottish Government posts by 2028.*

*Outcome: Leaders within the Civil Service and Scottish Government – including Ministers, Director Generals and Directors – have taken action to improve gender skills and commitment within their areas of responsibility.*

Once recruited and trained, consideration must be given to power and accountability for leaders. On the one hand, leaders of government bodies focused on equality and rights must be empowered to hold other parts of the government to account. This means they must be supported with time, financial resources and, ultimately, the First Minister.

Having specific leaders focused on equality, as well as ensuring that *all* leaders are gender competent, represents a 'twin-track' approach to mainstreaming, which is widely recognised as best-practice (Engender: 2020).

On the other hand, all leaders must be held accountable by the public and the equality sector. There must be clear mechanisms for this, and defined consequences for failure to deliver equitable outcomes.

## References

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

Engender (2023) *Sex & Power in Scotland in 2023*. Available online: <https://www.engender.org.uk/content/publications/SP2023NEW.pdf>

Equality Sector Response (2017) The socio-economic duty: A consultation Inclusion Scotland, Engender, Close the Gap, Coalition for Racial Equality and Rights, Equality Network, LGBT Youth Scotland, Scottish Women's Aid, Scottish Women's Convention, Stonewall Scotland, and The ALLIANCE. Available at: <https://www.engender.org.uk/content/publications/Equality-sector-response-to-the-Scottish-Government-consultation-on-Socioeconomic-Duty-September-2017.pdf>

## 6. What actions would you recommend to ensure strengthening leadership as outlined above will contribute to mainstreaming?

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions. However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must as a minimum lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have

functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

## Developing Accountability and Transparency

**7. Do you agree accountability and transparency are a key driver for mainstreaming equality and human rights?**

- Yes
- No
- Don't Know

**8. Have we captured the core elements of accountability and transparency within the context of mainstreaming?**

- Yes
- No
- Don't Know

**8a. Please explain your answer or provide more information.**

The aim and ambition of this driver is as it should be. Accountability is a central component of effective mainstreaming. However, we remain concerned by the inadequacy of the strategy in explaining how it will ensure the ambition is realised.

Whilst the reference to accessibility and transparency to support public accountability is apt, this ambition is weakened by a lack of attention to other barriers to accountability. These include time, money, power, political knowledge and will to hold government to account. The strategy must note these barriers and explain how it will overcome them. Moreover, cognisance must be taken of the role of third sector organisations and political alliances in holding the Government to account. These organisations play a key role in advocating on behalf of marginalised stakeholders – sustainably funding this work is a core requirement of effectively implementing this strategy.

The strategy explains what accountability mechanisms are already available in Scotland. However, the evidence shows that these are not currently working. We do not have sufficient accountability for equality and human rights in Scotland (Engender, 2020). The strategy fails to explain what further action will be taken to make these mechanisms functional.

As discussed, this should be integrated into a Theory of Change which acknowledges barriers and creates outcomes to support overcoming those barriers. For example:

*Barrier: Those with the lived experience to hold Scottish Government mainstreaming efforts to account, do not have the resources to do so.*

*Outcome: The Scottish Government has provided the resources of time, information and financial recompense to enable those with lived experience of marginalisation, and the organisations that work for them, to hold them to account.*

There is a glaring omission of where overall accountability for mainstreaming as a whole – and indeed the strategy – sits. Ultimately, someone must be responsible for ensuring implementation of the strategy and achievement of aforementioned measurable outcomes. Zero Tolerance suggests that this should sit with the First Minister, or with a newly created Cabinet Secretary for Equality.

As discussed, this should be integrated into a Theory of Change which acknowledges barriers and creates outcomes to support overcoming those barriers. For example:

*Outcome: The Scottish Government has identified, and appointed if necessary, the high-level Ministerial role that will take responsibility for mainstreaming.*

Finally, for all of this work on accountability to have any real sense of purpose, there must be tangible, measurable equality outcomes to report against. These must be set within this strategy, and within the National Performance Framework.

## References



Engender (2020) What works for women: improving gender mainstreaming in Scotland.  
Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

**9. What actions would you recommend to ensure greater accountability and transparency contributes to mainstreaming?**

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions. However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

## **Ensuring effective regulatory and policy environment**

**10. Do you agree that ensuring an effective regulatory and policy environment is a key driver of mainstreaming equality and human rights?**

- Yes
- No
- Don't Know

**11. Have we captured the core elements of ensuring an effective regulatory and policy environment within the context of mainstreaming?**

- Yes
- No
- Don't Know

**11a. Please explain your answer or provide more information.**

Zero Tolerance agrees with the twin-track approach outlined in this Driver, incorporating both specific equalities legislation and the integration of equality expertise in all other policy areas. However, we would reiterate concerns detailed elsewhere that the strategy merely describes existing processes, and is sorely lacking in detail about how these will be made functional.

Equality Impact Assessments are not working as they should in Scotland, representing a tick-box exercise with inadequate and thus harmful attention to how different policy areas can support or impede gender equality.

As argued by Engender, at present, 'There is ample evidence of EQIAs simply not having been conducted for major policies, and those that have been completed regularly fail to identify the most basic and readily accessible information regarding gender equality and the subject in question. Under the specific duties, EQIA must inform the development of strategy and policy. However, the content of many EQIAs immediately demonstrates that they have been completed post-hoc or in parallel to the policy design. As such, EQIAs are routinely of zero use to policy development and on the whole are failing to serve their intended purpose under PSED' (Engender, 2020: 9).

The draft strategy refers to a 'continuous improvement approach,' including new courses and guidance. A twin-track approach should be taken to this, with a combination of upskilling the entire public workforce, and funding expert positions to support the process. As discussed, the twin-track approach is widely regarded as best practice for embedding mainstreaming (Engender, 2020).

However, the strategy at present does not robustly consider the role of culture in effective EQIAs. No amount of training will solve the problem if those acting on behalf of the Government consider EQIAs to be a tick-box exercise, or a hurdle to jump after a policy has been developed. A fundamental shift in how EQIAs are perceived is needed – and this strategy must outline both the necessity of that shift, and how it will happen. For example, Engender (2020) advocate for a double-sign-off approach, whereby EQIAs must be agreed by both the departmental lead and an equality unit expert before the

policy can be progressed. This would support the prioritisation of the EQIA as a key part of the policy process and align with a twin-track approach.

Effective EQIAs are contingent on utilising good quality, intersectional data. This strategy would do well to set requirements for the minimum standard for data used, i.e. data must be sex-disaggregated, gender-sensitive, and analyse trends related to intersectionality. Lived experience knowledge should also be required as part of the EQIA process, a requirement which this strategy would benefit from setting out explicitly.

EQIAs cannot be seen as a product, but instead as part of a policy process which seeks to deliver outcomes. Therefore, as with the rest of this strategy, there must be accountability built in. If policies fail to deliver outcomes for those furthest from realising their human rights, there should be consequences.

As with the rest of the strategy, clear outcomes need to be set. This might include, for example:

*Outcome: 100% of Scottish Government policies have a detailed EQIA completed at the start of the policy process, which is updated throughout, and is approved by both the departmental lead and an equality team expert.*

*Outcome: EQIAs have demonstrable positive impact on equality groups.*

## References

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

## 12. What actions would you recommend to ensure that an effective regulatory and policy environment will contribute to the achievement of mainstreaming?

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions.

However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

## Utilising Evidence and Experience

**13. Do you agree that utilising evidence and experience is a key driver for mainstreaming equality and human rights?**

- Yes
- No
- Don't know

**14. Have we captured the core elements of utilising evidence and experience within the context of mainstreaming?**

- Yes
- No
- Don't know

**14a. Please explain your answer or provide more information.**

Again, Zero Tolerance strongly agrees with the inclusion of this driver. There is a manifest need for good quality equality data and intersectionality-focused lived experience work in Scotland. However, once again, the strategy fails to set clear outcomes or explain how they will be achieved.

The strategy should set clear standards about using evidence and experience in policymaking, including:

- That it is a core requirement, not an option.

- That it should be the starting point for policy development rather than applied post-hoc.
- That all data should be sex-disaggregated as a bare minimum, and analysed through an intersectional lens as standard.
- That people should be paid and thanked for their participation in lived experience work.
- That all lived experience work should engage a diverse group, with specific support in place for those furthest from power to participate and built their capacity. Indeed, care should be taken to attend to minority groups' views and prevent tyranny of the majority. Participants should be paid for their time and expertise.

Accountability is core here too. Policymakers should be accountable to people with lived experience, and have a responsibility to communicate how their insight was integrated into the work.

**15. What actions would you recommend to ensure that utilising evidence and experience as outlined above will contribute to the achievement of mainstreaming?**

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions. However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

## Enhancing Capability and Culture

**16. Do you agree that enhancing capability and culture is a key driver for mainstreaming equality and human rights?**

- Yes
- No
- Don't know

**16a. Please explain your answer or provide more information.**

Cultural change is absolutely central to the Strategy's success. Without embedding a culture across the public sector where equality work is routine and prioritised, the rest of the strategy will be redundant. Therefore, Zero Tolerance recommends separating culture from capability. We detail our rationale in our answer to question 17.

**17. Have we captured the core elements of enhancing capability and culture within the context of mainstreaming?**

- Yes
- No
- Don't know

**17a. Please explain your answer or provide more information.**

Most of this section of the strategy engages with capability. We agree that this is a vital element, and commend the recognition that all staff need to improve their skills and knowledge, with a particular focus on those in leadership positions. We would extend what is currently included to reference the need to weight and reward equalities expertise in recruitment processes, especially for leaders.

Whilst we agree with the strategy that capability is important, it fails to detail clear outcomes which will be delivered to achieve the change required. Without clear outcomes, effective actions cannot be chosen, and there is limited opportunity for accountability.

Indeed, capability and culture are distinct issues requiring distinct approaches.

Improving knowledge and understanding will not in and of itself shift the culture in the public sector (Nevens et al, 2021). Therefore, Zero Tolerance strongly recommends splitting these two drivers.

This will allow adequate attention in the Strategy to changing culture, an area which is woefully underserved by the current draft. The Scottish Government must set out how it will ensure that equality-focused work is to become a normal part of the everyday workplace culture.

At present, the culture is such that EQIAs are seen as a cumbersome tick-box exercise. As argued by Engender, 'With no strategic efforts to address resistance or build support for gender mainstreaming, and no real change required of public bodies - only what has been increasingly perceived as a pesky set of reporting requirements - it is unsurprising that impacts have been extremely limited' (2020: 28)

Without cultural change, mainstreaming simply will not be effective. Indeed, 'In many [international] cases, limitations of gender mainstreaming have been heavily shaped by the 'political weakness' of the institutions and policy actors tasked with implementation' (Engender, 2020: 27). The Scottish Government must reckon with the negligence of some staff, and the outright hostility to equality held by others. Only in acknowledging this barrier can it be overcome.

To give an illustration of the problem, we draw on the example of the Violence Prevention Framework. This Framework was developed without support from the Equally Safe team and without drawing in external gender expertise until very late in the development process. As a result, when women's organisations were called to input into the draft at the last minute, none of the data was sex disaggregated. One graph had disaggregated by sex, but the author had removed women from the graph. Evidence shows that most violence is experienced and carried out by men (No Knives Better Lives, 2022; Scottish Government, 2023), and that the violence women face from men is often invisible (Kassam, 2024) - it is inherently gendered. Indeed, much of male violence

even towards other men is linked to cultural conceptions of masculinity. Effective gender mainstreaming, here, would have led to a stronger and more impactful framework, and would have supported the implementation of Equally Safe.

We, therefore, recommend an agenda-setting approach to mainstreaming. This means fundamentally changing both the system and the culture from one which creates inequality towards one which promotes equality. Best practice for this can be taken from Sweden, where a strong emphasis on 'norm building' as part of an agenda-setting model has been effective in embedding mainstreaming (Engender, 2020).

Fundamental cultural change within such large institutions will require specific action, and this Strategy must clearly set out the outcomes it hopes to achieve so that actions can then be determined. This is another section where referring to a Theory of Change would be beneficial, as it would allow the Government to set specific outcomes, name the barriers to change, and explain what activities will be undertaken to overcome them. For example:

*Barrier: Civil servants, as with the rest of Scotland, hold wide range of views, and are not all supportive of equality.*

*Barrier: There is an embedded culture of equality work as 'extra' or 'nice to have.'*

*Outcome: 100% of civil servants across all departments proactively engage with equality throughout the policy process.*

## References

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

Kassam, A. (2024) 'One-third of women across EU have experienced violence, survey finds,' The Guardian. Available online: <https://www.theguardian.com/world/2024/nov/25/one-third-of-women-across-eu-have-experienced-violence-survey->



[finds#:~:text=Just%2014%25%20of%20women%20said,in%20Europe%2C%E2%80%9D%20said%20Rautio.](#)

Nevens, K., Yaqoob, T., and Hutchinson, E. (2021). 'We need this to do things differently: A framework for a new, inclusive and intersectional organisation to transform attitudes towards women and girls and promote gender equality in Scotland.' Zero Tolerance. Available online: <https://www.zerotolerance.org.uk/resources/ZT-What-Works-2021-Report.pdf>

No Knives Better Lives (2022) 'Imagine a Man: What is it like to be a boy or young man in Scotland in 2021?,' YouthLink Scotland. Available online: [https://www.noknivesbetterlives.com/wp-content/uploads/2022/05/NKBL\\_ImagineAMan\\_Report\\_FINAL-1.pdf](https://www.noknivesbetterlives.com/wp-content/uploads/2022/05/NKBL_ImagineAMan_Report_FINAL-1.pdf)

Scottish Government (2023) Repeat violence in Scotland: a qualitative approach. Available online: <https://www.gov.scot/publications/repeat-violence-scotland-qualitative-approach/pages/4/>

**18. What actions would you recommend to ensure that enhancing capability and culture as outlined above will contribute to the achievement of mainstreaming?**

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions. However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

**19. Do you agree that this Strategy will provide a foundation to influence a culture of mainstreaming equality and human rights within Scottish Government and the wider public sector?**

- Yes
- No
- Don't know

**19a. Please explain your answer or provide more information.**

As outlined above, culture must be separated from capability. Knowledge does not change culture on its own – increased knowledge is not evidenced as changing behaviours and attitudes (Nevens et al, 2021). Overall, the rest of the Strategy is too vague to drive cultural change. It must set clear outcomes across the board so that tangible actions can be determined to deliver those outcomes. We will explain in more detail how this vagueness can be addressed in question 28.

**References**

Nevens, K., Yaqoob, T., and Hutchinson, E. (2021). 'We need this to do things differently: A framework for a new, inclusive and intersectional organisation to transform attitudes towards women and girls and promote gender equality in Scotland.' Zero Tolerance. Available online: <https://www.zerotolerance.org.uk/resources/ZT-What-Works-2021-Report.pdf>

## Improving Capacity

**20. Do you agree that improving capacity is a key driver for mainstreaming equality and human rights?**

- Yes
- No
- Don't know

**21. Have we captured the core elements of improving capacity within the context of mainstreaming?**

- Yes
- No

- Don't know

**21a. Please explain your answer or provide more information.**

We agree with separating capability from capacity – these are indeed distinct issues requiring separate focus. It is absolutely correct that staff cannot implement skills learned at training if they do not have time to do so. The ambition set out in this section is admirable and, if delivered, will support real change. However, as with the rest of the strategy, clear outcomes should be set so that action can be taken, rather than using the space merely to outline the ambition. For example:

*Outcome: 100% of Scottish Government civil servants report having the time and resources necessary to meaningfully include equalities mainstreaming in policy development by 2028.*

Secondly, in setting outcomes, this section would benefit from delineating budgeting for mainstreaming activity (i.e. the budget which will be required for the work of embedding mainstreaming across the public sector) from equality budgeting as core practice (i.e. the everyday practice of equality-focused budgeting which will be in place if this Strategy is successful in embedding mainstreaming). These are separate activities – the first supporting the implementation of the second – and both require resource. Again, this is part of a twin-track approach to mainstreaming, which evidence shows is the most effective method (Engender, 2020).

**References**

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

**22. What actions would you recommend to ensure that improving capacity will contribute to the achievement of mainstreaming?**

It is impossible to suggest actions without first seeing a fully developed Theory of Change with clear outcomes. It is clear that there is no appetite for further actions.

However, the strategies and actions the Scottish Government have already committed to are not working. There is admirable ambition across the board, but a woeful inattentiveness to implementation. Therefore, the Action Plan must lay out what actions will be taken to meaningfully implement what has already been committed to, and what small changes will be made to make what we already have functional. We strongly recommend engaging directly with equality experts across the full range of equality areas to develop this plan.

## How will the Strategy support real change?

**23. Do you think the proposed approach to a collated Action Plan will drive change?**

- Yes
- No
- Don't know

**23a. Please explain your answer or provide more information.**

Zero Tolerance strongly supports the ambition set out by this Strategy. It is our belief that the existence of a Mainstreaming Strategy is an important first step for embedding equality and human rights across the public sector in Scotland. This will, in turn embed gender equality, making Scotland safer for women and girls.

However, the Strategy is weakened by its omission of clear outcomes. Without these, it is impossible to establish what the Strategy really seeks to achieve. By extension, without clear, measurable outcomes, it will be impossible to decide effective actions to take in the Action Plan.

Zero Tolerance supports the approach outlined, whereby the Scottish Government commits to agreeing time-bound, cross cutting actions to be updated annually and form part of statutory reporting. However, we are unable to provide feedback on an Action Plan which we have not seen.

Therefore, whilst we support the existence of a Strategy and agree that an Action Plan is absolutely necessary to ensure implementation, we cannot provide an answer to the question of whether the Action Plan will drive change. Further consultation must be carried out, and the Action Plan should be co-produced with expert third sector organisations.

**24. Do you think there is a need for a cross-public sector toolkit to support mainstreaming of Equality and Human Rights?**

- Yes
- No
- Don't know

**24a. Please explain your answer or provide more information.**

Zero Tolerance supports the creation of a Toolkit to embed mainstreaming. However, we would caution that the Toolkit must be seen as a step towards implementation – not as a final product. A Toolkit alone is not an adequate implementation plan for this Strategy, and must be supported by many more commitments in the Action Plan. This is because, as discussed, knowledge and skills will not alone change the culture of the public sector.

When creating the Toolkit, we would advise that a twin-track approach is deployed. This means creating the Toolkit as an easy-access source of information, while also integrating a focus on mainstreaming into the core, standard induction, training and resources used by civil servants. If this does not happen, it is not mainstreaming.

Finally, it is vital that specific equality issues are explored in depth as part of the Toolkit. If it is merely 'homogenised equality,' no one will learn anything worthwhile from it.

**25. What practical steps would you include to make the toolkit an effective resource?**

To make the toolkit effective, it must be integrated, accessible and mandatory. Being integrated means that it must be one of the core tools used by those in the public sector, and not so separate that it is never used. Indeed, mainstreaming perspectives

must also thread through all resources across the public sector, and not exist only in the toolkit. The toolkit must also be accessible – using widely understood language to explain complex concepts. The information should be available in different formats, and there should be signposting to where people can ask further questions. Finally, using the toolkit should be a mandatory part of the induction process. Without establishing its use as core, it will be ignored and the mainstreaming strategy will fail.

## Reporting

### 26. What are your views on establishing additional reporting requirements?

- Additional stand-alone reporting requirements should not be created
- Additional stand-alone reporting requirements should be created
- Don't know

#### 26a. Please explain your answer or provide more information.

Zero Tolerance recommends that standalone requirements should be created to allow for specific accountability work focused on the Strategy itself in terms of how it has changed the inner workings of Government and the public sector in Scotland. This might include:

- ‘An annual statement to the Scottish Parliament on intersectional gender policy coherence and gender mainstreaming, delivered by the First Minister;
- Ministerial responsibility in the form of annual progress reports against the gender mainstreaming strategy from respective Scottish Government departments;
- A Directors’ Group on intersectional gender mainstreaming and gender equality policy coherence, to be co-chaired by the Permanent Secretary and Director-General for Equality and Human Rights;
- Mechanisms to deliver quality assurance on public bodies’ work on the specific duties, including mainstreaming reports and EQIAs. This work should be adequately resourced and delivered by gender competent personnel.’ (Engender, 2020)

## References

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

## Overall Reflections

**27. To what extent do the drivers capture the full range of activity required to mainstream equality and human rights?**

- Captures the full range
- Captures most of the range
- Captures some of the range
- Does not capture any of the range

**27a. Please explain your answer or provide more information.**

The Drivers set out are all vital for embedding mainstreaming in Scotland. However, as discussed, culture should be separated out given the key role it will play in dictating whether mainstreaming efforts are successful.

The Strategy could be clearer at the outset in explaining how each of the drivers link together. A diagram might be useful to illustrate this. This explanation should emphasise the centrality of cultural change in achieving the desired outcomes.

Furthermore, the Strategy should state who has oversight of its implementation, and clearly assign responsibility for ensuring coherent implementation of all of the Drivers. We recommend that responsibility should be shared by newly created posts of Cabinet Secretary for Equality and Director-General for Equality.

**28. Please provide any more information that you think would be useful, which is not already covered in your previous responses.**

Overall Reflections

Overall, Zero Tolerance strongly supports the creation of such an ambitious Strategy. Mainstreaming is a vital step towards embedding equality and human rights in Scotland, including women and girls' right to be safe. Gender inequality is the root cause of violence against women and girls, and evidence shows that mainstreaming is one of the most effective ways of tackling systemic gender inequality (Engender: 2020).

If strengthened in the ways we suggest, and implemented effectively, the Mainstreaming Strategy has the potential to make fundamental change to the lives of women and girls in Scotland – especially women of colour, disabled women, LGBT women, older women and younger women. However, if published as it stands, the Strategy risks further diluting existing work on equality and human rights, delaying progress.

The Vision includes a line on wanting communities to be “safe.” However, there is no mention of Equally Safe or how mainstreaming supports primary prevention. As Equally Safe is Scotland's only gender equality strategy, there must be clear alignment between it and the mainstreaming strategy. There should be shared ambition and outcomes, and close collaboration between teams.

However, whilst we admire the ambition, the Strategy is too high level to drive the systemic change mainstreaming should entail. We detail below how this can be addressed.

### Theory of Change and Outcomes

At present, the Strategy merely explains the importance of each area covered and outlines the ambition. It fails to set clear, measurable Outcomes. This leaves a significant gap between the Strategy and the Action Plan. In the absence of clear Outcomes, the Action Plan has nothing to aim for, nor anything to be measured against. The Outcomes must be specific, measurable, achievable, relevant and timebound. They must represent a clear commitment to change from the Scottish Government to drive action and support accountability. They must also link closely to the new National



Outcomes – which we have previously advised must include equality-specific outcomes.

To write these Outcomes, a Theory of Change should be created and sit within the strategy. It should identify the problem, the vision, outcomes, indicators, barriers, drivers, and short-, medium- and long-term actions. Creating a complete Theory of Change will support the identification of barriers to implementation, which will allow the Strategy to actively engage with these issues in order to overcome them. At present, barriers remain unaddressed within the strategy, which means they are unlikely to be overcome.

### Barriers to Implementation

One of the key barriers to implementation, as discussed, is the culture of the public sector. At present, the efficacy of existing systems such as the EQIA is limited by a culture which routinely downgrades it to a tick-box exercise. Equality competence, of course, plays a role. However, the Scottish Government must reckon with the fact that some staff do not care about equality, and others are actively hostile to it. Only by identifying this as a barrier to change can it be tackled.

As argued by Engender (2020: 37), 'Within all of this, a predominant challenge to overcome is latent attitudes that view gender as peripheral to the core functions of government, and subtle forms of resistance to the mainstreaming agenda.'

Instead of identifying barriers and how to overcome them, the draft Strategy merely lists existing work. We do not recommend an entirely new programme of work. However, the current measures are not working. If they were effective, a Mainstreaming Strategy would not be required. Once the strategy includes clear outcomes, the Action Plan must explain what changes will be made to make the existing systems functional, and what will be done to close the gaps which currently exist.

### Homogenisation vs Intersectionality

On page 8 an “intersectional approach” and “avoiding homogenising equality issues” are described as two cross-cutting principles that will be key to the published strategy. However, it is unclear how these will be operationalised. There are only a few references to intersectional approaches in the key drivers, and the rest of the Strategy also largely talks about “equality and human rights” in a generalised manner. This suggests that the term ‘intersectionality’ has only been included as a buzzword.

In writing and implementing the Strategy, it is essential that an intersectional approach is taken. ‘Intersectionality’ was a term coined by Black feminist scholar-activist Kimberle Crenshaw (1991). It refers to the way in which multiple systems of oppression overlap and intersect with each other to create distinct and compounding forms of inequality. For example, in her original research, the ways in which Black women faced employment discrimination which white women and Black men did not; their oppression was at the intersection of racism and sexism.

Zero Tolerance admires the ambition of bringing together equality and human rights issues in one Strategy. However, there is a risk that distinct equalities issues will be homogenised in doing so. There are no international examples of successful mainstreaming strategies which bring together multiple equalities issues, and no evidence that this approach will work. This is because homogenisation leads to the dilution of each issue.

To have a genuinely intersectional approach, distinct data and expertise for different oppressed groups is required. Likewise, there should be different (well-funded, empowered) units of government focused on different equality issues – i.e. a Gender Unit, Anti-racism Unit, and so on – who work in collaboration to drive equality work across the whole public sector. Again, this represents a twin-track approach, which is best practice. Lived experience work must also be attentive to intersectionality, capturing experiences of people who live at the overlap of multiple inequalities. This means resisting tyranny of the majority.

Finally, the Strategy currently views women as ‘just another minority.’ This is not an accurate representation of how gender inequality functions. Women represent 52% of the population in Scotland, and gender inequality is a system of oppression which cuts across all other systems of oppression faced by genuine minority groups. To treat gender the same as other systems of oppression does not recognise the unique way it functions. Gender experts must be engaged as collaborators in developing this Strategy so that the cross-cutting nature of gender inequality can be addressed.

### Twin-track Approach

To support effective implementation, Zero Tolerance advocates for a twin-track approach, whereby there is both specific equality focused work and the integration of equality into all the other work of Government. This has been proven by international examples to be the most effective method of mainstreaming (Engender, 2020). Despite this evidence, there is no reference to a twin-track approach in the Strategy. A statement committing to use this approach should be added, and it should frame the Theory of Change as it is developed.

References to key equality strategies including Equally Safe and the Women’s Health Plan are also missing, which increases the risk of policy incoherence.

### Accountability

The Strategy has done well to recognise that accountability is key to effective mainstreaming. However, it needs to build accountability into the implementation and outcomes of the strategy itself to ensure its specific activities and aims are achieved. This begins with setting measurable outcomes and indicating who is responsible for oversight of the Strategy. We recommend that responsibility should be shared by newly created posts of Cabinet Secretary for Equality and Director-General for Equality. In the Action Plan, these outcomes must be converted into tangible actions with measurable targets for leaders in the public sector. There must also be consequences for failure to achieve targets.

In agreeing targets, the Scottish Government has a responsibility to lead the way. It was indicated during a Stakeholder Engagement Group that public authorities would be able to choose which drivers they would like to take forward. This will make the Strategy ineffective. All the drivers are vital, and all public authorities in Scotland are currently failing to mainstream or achieve equality. Thus, the government must require engagement across all drivers and enact consequences for failure to act.

To strengthen this, ultimately more must be required of public authorities, including:

- Mandating an adequate focus on individual protected characteristics by public bodies, including sex, so that critical equality issues for women and girls see action;
- Requiring public bodies, including Scottish Government, to fully integrate gender budget analysis into their budget processes;
- Mandating Ministers to set sector-specific national outcomes for each protected characteristic, including sex, to provide greater clarity and focus about key issues;
- Creating a statutory footing for the gender architecture that enables women's equality and rights;
- Requiring Scottish Government Directorates and public body departments to make outcome-focused equality policy statements that set a direction of travel on work to realise equality and rights for women and girls;
- Specifying an approval process for equality impact assessments that involves both senior domain-specific decision-makers and internal or external experts.' (Engender, 2020)

More must also be required in terms of reporting, including:

- An annual statement to the Scottish Parliament on intersectional gender policy coherence and gender mainstreaming, delivered by the First Minister;
- Ministerial responsibility in the form of annual progress reports against the gender mainstreaming strategy from respective Scottish Government departments;

- A Directors' Group on intersectional gender mainstreaming and gender equality policy coherence, to be co-chaired by the Permanent Secretary and Director-General for Equality and Human Rights;
- Mechanisms to deliver quality assurance on public bodies' work on the specific duties, including mainstreaming reports and EQIAs. This work should be adequately resourced and delivered by gender competent personnel.' (Engender, 2020)

### Conclusion

As Equally Safe clearly states, violence against women and girls 'stems from a deep-rooted gender inequality' (2023: 3). Done well, an Equality and Human Rights Mainstreaming Strategy should fundamentally change the workings of government, and create a Scotland where all women and girls experience equality. At present, the Strategy will not effect this change. Only by taking a genuinely intersectional twin-track approach, based on a theory of change which acknowledges barriers and commits to meaningful outcomes, and embedding tangible accountability processes, will this Strategy create the change necessary to embed gender equality in Scotland and prevent men's violence against women and girls.

### **References**

Crenshaw, K. (1991). Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review*, 43(6), 1241–1299. Available online: <https://doi.org/10.2307/1229039>

Engender (2020) What works for women: improving gender mainstreaming in Scotland. Available online: <https://www.engender.org.uk/content/publications/WHAT-WORKS-FOR-WOMEN---improving-gender-mainstreaming-in-Scotland.pdf>

Scottish Government and COSLA (2023) Equally Safe: Scotland's Strategy for Preventing and Eradicating Violence Against Women and Girls. Available online: <https://www.gov.scot/publications/equally-safe-scotlands-strategy-preventing-eradicating-violence-against-women-girls/documents/>



## About Us

Zero Tolerance is a Scottish charity working to end all forms of men's violence against women by tackling its root cause: gender inequality.