

**Deputy First Minister and Cabinet Secretary for
Covid Recovery**

An Leas Phrìomh Mhinistear agus Ath-shlànachadh
Cobhid

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Our Reference: 202100267807
Your Reference: COVID-19 restrictions

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Dear Convener,

Thank you for your letter of 22 December 2021, regarding COVID-19 restrictions.

Gender equality is at the heart of the Scottish Government's vision for a fairer Scotland, one where women and girls have and are empowered to exercise equal rights and opportunities, and have equitable access to economic resources and decision making. We recognise that the pandemic has had a disproportionate impact on women's lives. Assessment of the potential equality impacts, including on women, and mitigations where appropriate, continues to be a central requirement in the development of our response to the COVID-19 pandemic. As required by the Public Sector Equality Duty, the potential impacts of any proposed legislation are assessed to ensure they eliminate discrimination, advance equality and foster good relations between people as far as possible.

Throughout the pandemic, the decisions we have made have been driven by evidence and clinical advice. We will continue to be driven by an approach that is informed by the data and consideration of the four harms as set out in our [COVID19: Framework for Decision Making](#). We continue to engage with scientific experts domestically and internationally, and we remain open to reviewing our approach in light of the latest evidence available via the [Scottish Government COVID-19 Advisory Group](#). A revised Strategic Framework will be published in the next few weeks, and this will set out more fully how that process of adaptation can be managed with a view to building that greater resilience. The Scottish Government has also published our [COVID Recovery Strategy](#) which sets out our vision for recovery.

As you know, the current COVID-19 regulations require review every 21 days and as soon as Ministers consider that any restriction or requirement is no longer necessary to prevent, protect against, control or

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provide a public health response to the incidence or spread of infection in Scotland with COVID-19, they are under a legal duty to revoke the restriction or requirement. The Scottish Government are in regular contact with a diverse range of gender stakeholders to assess and address negative impacts of the pandemic on women and will continue to use their views and expertise in the development of COVID-19 restrictions. As you are aware, on 24 January, the Scottish Government repealed a number of temporary restrictions.

Your letter makes a number of points around support for women, access to the labour market, childcare and the availability of data. To support communities during the pandemic we provided a range of funds including the Supporting Communities Fund, the Communities Recovery Fund and the Enabling Neighbourhood and Communities Fund, delivered as part of the wider £350 million package of support. These funds aimed to ensure essential services and provisions reached those most in need and as the pandemic progressed to address the challenges particularly for those where COVID-19 was having the greatest impact. The funds were community and demand led with projects supporting a wide range of different groups including support for low/no income families/households, domestic abuse, children and young people, unpaid carers.

These emergency funds were delivered in addition to our ongoing programmes including the Investing in Communities Fund which focusses on addressing poverty, child poverty, inequality and disadvantage. The fund is community-led supporting communities to develop and deliver solutions to locally identified needs and circumstances including support for low income families/households providing person-centred services and access to resources such as affordable childcare, income maximisation/financial capability, dignified food provision, and health and well-being support.

We are aware that many families are struggling due to inflationary pressures on living costs and that the further impacts of the pandemic are only adding to the challenges people face. We are determined to ease some of this strain by providing direct support to people who need it most. That is why, building on the significant support we provided in 2020/21, this winter we have invested £41 million in a Winter Support Fund for low income households to help people struggling financially due to rising cost of living and fuel costs. Key elements of the Fund include £10 million to help people who are struggling to pay fuel bills, £25 million of flexible funding to help local authorities support wellbeing and respond to financial insecurity based on local needs and £6 million for trusted third sector partners to support low income families.

Regarding access to the labour market, you are aware that employment law is a matter reserved to the UK Parliament and the key tools we require to adequately support women in the workplace and address the gender pay gap, such as improving access to flexible working, enhancing maternal and parental support and improving transparency in pay gap reporting is out-with our powers. That being said, while we continue to press for additional devolved powers to strengthen employment rights that work for Scotland, we are doing all we can with the powers we do have to reduce the gender pay gap and promote and support labour market equality. We acknowledge that it is therefore imperative that we continue to take forward measures that tackle the drivers of the gender pay gap to ensure women's labour market equality in our economic recovery from the pandemic.

In March 2019, we published [A Fairer Scotland for Women: Gender Pay Gap Action Plan](#), the first such plan in the UK. The Plan takes a cross-government approach to tackle the drivers of the gender pay gap and the structural inequalities women face in accessing and progressing in employment. It also takes an intersectional approach recognising that some women experience multiple barriers in the

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workplace based on for example, their ethnicity, age, disability or socio-economic group. A refresh of the plan was completed in March 2021 and included a new action to look in more detail at how women's disproportionate unpaid care responsibilities drives the gender pay gap. A further refresh is being undertaken this year to ensure actions remain relevant and fit for purpose as we move through the pandemic. We also recognise that there are strong links between women's poverty and child poverty. The next Tackling Child Poverty Delivery Plan, to be published in March, will reflect these links and outline actions to support women to enter, sustain and progress in employment. This will include building on existing action to address the gender pay gap and expand access to affordable childcare, recognising the additional barriers faced by families most at risk of poverty – including lone parents, families with a disabled adult or child and minority ethnic families. We are consulting with stakeholders, including women's groups, in the development of the plan.

Your letter highlighted that Scottish Government's Budget 2021-22 Equality and Fairer Scotland Budget statement recognised the burden on women as a risk to progressing national outcomes as a result of the pandemic. The Committee may be interested to note the [Equality and Fairer Scotland Budget Statement 2022-2023](#) provides an update on the policy action and spend to mitigating this and other identified risks during the 2021-22 financial year. This year's budget includes a range of measure that will support women's equality, including revenue funding for local authorities to deliver the statutory entitlement to funded early learning and childcare, which increased from 600 hours to 1,140 hours in August 2021, saving parents up to £4,900 per year for each eligible child. This will support children's development and family wellbeing, as well as supporting parents' and carers', the majority of whom are women, ability to train, study and move into sustainable employment and out of poverty. We invested an additional £28.5 million for local support for unpaid carers, around 60% of whom are women, bringing total investment in the Carers (Scotland) Act 2016 to £68 million per year. In addition, the Women's Returners Programme aims to help women to develop the confidence, skills, work experience and networks they may need to ease the transition back to work. Scottish Government funding worth up to £2 million will support up to 1,500 women this year, with the programme delivered through Skills Development Scotland. The programme aims to contribute towards reducing the gender pay gap, improving women's economic position in the labour market and delivering fair and inclusive economic growth.

The Scottish Government is committed to ensuring that our equality evidence becomes more wide-ranging and robust, enabling policy makers to develop sound, inclusive policy. Part of this work has included the development of Scotland's Gender Equality Index which sets a baseline against which Scotland will be able to measure its future progress towards gender equality. In addition, the Scottish Government launched the first phase of its Equality Data Improvement Programme (EDIP) in April 2021 which will be undertaken over 18 months, leading to the publication of a revised Equality Evidence Strategy in late 2022 and a second phase of the programme running from 2023-25. A central element of this work is the Equality Data Audit in which analysts from different portfolios are assessing the availability of data disaggregated by protected characteristic and will be developing improvement plans, which will be shaped by stakeholders, to make disaggregated data available where gaps are identified and it is feasible to do so.

The Committee may also be interested to know that the Scottish Government published our consultation on the review of the operation of the PSED in Scotland in December. This consultation seeks views on some of the key issues raised by gender stakeholders, including improving the collection and use of equality data. The full consultation paper can be accessed here: [Review of the operation of the Public Sector Equality Duty in Scotland: Consultation paper \(www.gov.scot\)](#).

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I hope this information has been of assistance. I can assure you that we will continue to keep both any restrictions and the broader impacts and issues driven by the pandemic under constant review.

JOHN SWINNEY

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