

**FIRST MINISTER'S NATIONAL ADVISORY COUNCIL ON WOMEN
AND GIRLS (NACWG) FIRST FOCUS OF SCRUTINY
ACCOUNTABILITY EVENT
COSLA CONFERENCE CENTRE
11 JANUARY 2023 – 13:00 – 16:00**

SUMMARY NOTES

Advisory Council Members

Anna Ritchie Allan	Phase Two NACWG Co-Chair and Executive Director, Close the Gap	
Talat Yaqoob FRSE	Phase Two NACWG Co-Chair. Independent consultant and researcher. Founder of Pass the Mic and co-founder of Women 50:50	
Amanda Amaeshi (supported by Katie Horsburgh)	Girlguiding Scotland	
Jen Ang	Co-Founder & Director, JustRight Scotland	
Dr Sandy Brindley	CEO, Rape Crisis Scotland	
Tressa Burke	CEO, Glasgow Disability Alliance	
Nicola Dickie	Interim Director, COSLA	
Lily Greenan	VAW Consultant	
Prof. Ima Jackson	Phase One NACWG Co-Chair and Senior Lecturer, Glasgow Caledonian University	
Pheona Matovu	Co-Founder & Director, Radiant and Brighter	
Prof. Angela O'Hagan	Senior Lecturer, Deputy Director, WISE Centre for Economic Justice and Chair of Equality and Budgets Advisory Group	Online
Satwat Rehman	CEO, One Parent Families Scotland	
Dr Marsha Scott	Chief Executive, Scottish Women's Aid	
Claire Sweeney	Director for Place and Wellbeing, Public Health Scotland	
Jill Wood	Policy Manager, Engender	Online

Deborah Fulerčík	Scottish Government Secretariat Team Leader
Alison Lannon	Scottish Government Senior Policy Manager
Siobhan Taylor	Scottish Government Policy and Communication Officer

Minister and Senior Officials

Christina McKelvie MSP	Minister for Equality and Older People
JP Marks	Permanent Secretary
Paul Johnston	DG Communities

Scottish Government Officials

Alison Byrne	Director for Equality, Inclusion and Human Rights
Nick Bland	DD for Equality and Inclusion

Kavita Chetty	DD for Human Rights
Rachel Dowle	Head of Strategic Design
Anne Aitken	DD for Performance, Delivery and Resilience
Lisa McDonald	DD for Economic Policy and Capability Division
Shirley Laing	Director, Tackling Child Poverty and Social Justice
Jon Hunter	Statistician

Introduction

The NACWG met with Minister McKelvie MSP and Scottish Government officials for an in-person Accountability Event. The purpose of the event was for the NACWG to provide feedback on the evidence gathered during the First Focus of Scrutiny and for open dialogue on successes and challenges on recommendation implementation.

The event was broken down into two sessions, one on general observations and the other had a recommendation focus.

General Observations

Accountability Mechanisms

Scottish Government officials advised of the following accountability mechanisms being considered:

- The Senior Leadership Group
- Infrastructure, through the mainstreaming strategy, Equality Impact Assessments (EQIAs) and the recommended annual statement which will provide public scrutiny.
- Considering tools already available to support accountability mechanisms
- Improving capacity building and support to ensure gender competent policy making and best practice.

NACWG members highlighted that external accountability and perspectives should be engaged with as part of accountability and ensuring implementation.

Minoritisation of Women

Scottish Government officials advised they are live to the specific need for intersectional gender competence to be embedded in policy development. There has been commitment for policy development within the National Strategy for Economic Transformation to have a gendered lens applied.

Minister McKelvie MSP highlighted work with justice colleagues on a standalone crime of misogyny, focuses on women and which brings forward legislation and policy in a way that went against the grain of typical policy development.

The NACWG highlighted concerns that the Leadership Group's remit, as well as wider areas of mainstreaming activity, have been broadened to a generic equality and human rights perspective and that this cause women's needs, especially those of marginalised women and girls who experience compounding inequalities, to be lost in policy design. An offer was made for NACWG and Scottish Government to work together to develop a programme for the Leadership Group that does not dilute women's issues, recognising the issue and risk, and this was welcomed.

Intersectionality

Scottish Government officials recognised that intersectional gender competence is not well understood within Government.

It was requested that a definition of intersectionality be co-produced with NACWG and an understanding of how it is to be applied to policy making and competency frameworks across Scottish Government also be developed. It was confirmed this would be added to the workplan for the year ahead.

Prioritisation and Delivery

Scottish Government officials shared that if Scotland is to be a leader on women's equality, and on prioritising intersectional gender competence, honesty is needed about current gaps in capability and competence. NACWG advised that they can provide the expertise, but only Scottish Government can enable the power shift, in particular, in policy areas and directorates which are not often understood to be gendered e.g., economy, transport, planning and culture. The value of lived experience at an individual level as well as engagement with gender experts, academia, organisations and social movements was highlighted also.

Competency and capacity building were noted as critical for culture change and Scottish Government highlighted that it was working to tackle this by focusing on guidance on intersectional policy making, reviewing the Skills for Success framework, training on EQIAs and gender budget analysis, online learning resources and working to raise awareness of these to officials.

Lived Experience Participation

Scottish Government noted there are some good examples of lived experience work across the organisation, but they are not consistent across policy making. Officials advised they are looking to rollout and improve the Equalities Data Improvement Project (EDIP), and the Human Rights Bill is being developed using participation methods. The Scottish Approach to Service Design highlighted their focus on recognising the gold standard from participation and welcomed scrutiny and critique.

NACWG Members welcomed these contributions, including ethical lived experience engagement, and systematising participation. The importance of power redistribution was highlighted alongside the importance of building lived experience into review processes and creating a coherent, meaningful approach across the Scottish Government.

Leadership Group

It was confirmed that the Leadership Group is deliberately in the early stages and there is eagerness to co-produce a programme which incorporates a theory of change on women's and girl's equality. Scottish Government officials advised that collaborating around system change, accountability, and participation will be a transformational space and it is keen to make central to this, foundational components such as how colleagues are being trained, how other directorates are brought in, and learning undertaken.

NACWG welcomed the proposed co-production of the leadership group, and sought clarity on how accountability was being understood in this area, along with a timescale for the group.

Public Sector Equality Duty (PSED)

Scottish Government officials advised there was support for these recommendations in the analysis of consultation responses. The analysis was also clear that support was needed for public bodies to enable implementation, and the question is now how to ensure it happens in practice in a way that leads to change. It was advised that the specific detail of the new regulations are being discussed with the Minister and Scottish Government would advise the NACWG further.

Programme for Government (PfG)

Scottish Government officials noted the focus of the cost-of-living crisis this year diluted the focus on a gender sensitive PfG. Working with the NACWG and others, along with improving EQIAs and opportunities for learning (such as Centres of Expertise) will improve the quality of the PfG.

NACWG Members raised the importance of embedding gender competence at the outset and throughout the process, which would avoid the risk of responding to emerging issues in an ungendered way. They also highlighted the link between the budget and PfG and noted that what Scotland values has to happen in parallel with the budget and PfG to be aligned.

Co-Chairs thanked attendees for the candid and collaborative nature of the conversation, recognising that they are all aiming to achieve shared goals. They summarised the agreed action points, and confirmed the three questions that had not been asked due to time constraints would be sent in writing.

Actions:

Intersectionality:

- **Action:** A holistic definition of intersectionality, based on the evidence of Prof. Kimberlé Crenshaw and other intersectionality specialists, to be developed with external expertise and used across Scottish Government.
- **Action:** An understanding of intersectionality and how it should be applied to Scottish Government strategy and policy-making is to be integrated into Scottish Government professional skills and competency frameworks.
- **Action:** Follow-up discussion to be held with NACWG representatives and officials to consider the following as a potential next step:
 - A Scottish Government mandatory process to be created which would ensure that all directorates demonstrate that they collect and use intersectional data competently and that they have resourced their infrastructure to sustain this improvement.

Programme for Government:

- **Action:** The PfG team to meet with the NACWG to discuss the development of a strategic approach and process for future PfGs, enabling Scottish Government to take a gender-competent and intersectional approach that is both timely and effective.
 - This process would likely include publication of the approach taken, data used and analysis along with the PfG. This would be in addition to the current equality and human rights statement that accompanies the PfG. It is recognised that this process would require the capacity and resourcing of Scottish Government directorates to develop and evaluate the intersectional gender competence of commitments before they are received by the PfG team.

PSED:

- **Action:** Scottish Government officials to provide a written response on whether it will include new duties on intersectional data gathering and gender budget analysis in the draft regulations.

Leadership Group:

- **Action:** Scottish Government to consider and provide the NACWG with potential methods for how accountability and scrutiny of Scottish Government progress on commitments/recommendations can be pursued by external community-based expertise.
 - It is recognised that current accountability mechanisms are focused on internal self-scrutiny by Scottish Government. Whilst this is welcome and necessary, external accountability from both lived and learned expertise groups is critical to ensuring effective accountability. Accountability mechanisms must go beyond the current, often inaccessible, baseline available to marginalised communities.
- **Action:** A follow-up meeting to be held between Scottish Government officials and the NACWG on the risks of the minoritisation of women by taking a homogenised “equality and human rights” approach. Scottish Government officials to consider and feedback to the NACWG on where this is already apparent in Scottish Government delivery and what, if any, mitigation efforts are being pursued.

Lived Experience:

- **Action:** A further meeting to be had with service design officials, participation teams and the NACWG on an intersectional and gender-competent approach to lived experience inclusion and the need for over-representation of minoritised women.
- **Action:** Lived experience expertise to be built into professional competency frameworks and review processes.
- **Action:** Follow-up discussion to be held with NACWG representatives and officials to consider the following as a potential next step:
 - To develop, in collaboration with the service design officials and the NACWG, a lived experience expertise strategy across Scottish Government which sets out a consistent approach, ethical delivery, feedback and accountability, competent resourcing and intersectional gender competence. This should be taken forward alongside those working on the recommendations of the recent “institutionalising deliberative democracy” report and wider Scottish Government public participation efforts.