

Equality Impact Assessment Record

Title of policy / practice / strategy / legislation:

Transition Fund Policy - TF02 - How Grant Funding Can Be Used

Is this a new policy or revision to an existing policy?

Revision to an existing policy

Screening

Policy Aim

The proposed policy change has arisen due to a reduction in the number of applications received to the Transition Fund. The upper grant limit of £1,500 is increased to £4,000 with effect from 1 June 2021. This will be kept under regular review. While the reduction from £7,500 to £1,500 was necessary at the time, it is clear that the limit of £1,500 has limited the thinking and ambition of the young people who are applying to the Transition Fund and put a significant number of previously popular items such as specialist wheelchairs for sports, and similar items out of reach of the applicants. This should be read in conjunction with the original and any previous EQIAs for TF02. The Transition Fund is open to applicants aged between 16 and 25 years. Grants run over a period of 12 months. Young people may apply for a further grant once one grant period ends. However, our policy states that priority will be given to first time applications if there is a high demand on the Fund. Priority will continue

to be given to first time applicants, although we have not at this time had to refuse a second application for a grant purely on this basis.

Who will it affect?

The proposed change will affect the target group of young people aged 16 to 25 years in transition from childhood to adulthood and will be open to all protected characteristic groups provided the age eligibility criteria is met. Those applying for the first time will be given priority, while applicants who have previously applied for the grant may be disadvantaged.

Disabled people outside the age band will be excluded at this stage. Individuals with additional protected characteristics will have equal access to ILF Scotland Transition Fund grants where they meet the age and eligibility criteria.

What might prevent the desired outcomes being achieved?

An increase in applications to the fund may mean that some eligible young disabled people might not meet their desired outcomes. We are hopeful that this will not be the case due to a substantial increase in funding being awarded by the Scottish Government to accompany the increased limit.

Public information and stakeholder consultation has and continues to be an integral part of this policy formulation and implementation. Person centred and equality and diversity training has been provided for key ILF Scotland staff and application and internal processes to deliver the ILF Scotland Transition Fund have involved disabled people and their representative organisations.

Stage 1: Framing

Results of Framing Exercise

ILF Scotland used data on application trends and spend to project the future sustainability of the Fund and discussed all possible options with its Sponsor and Finance within Scottish Government. In order to protect the availability of the scheme and keep it open, the option to reduce the maximum award for a period was considered to be the most equitable in relation to the potential access of young disabled people in the eligible categories.

Extent / Level of EQIA required

The existing ILF Fund is only for disabled people. On the basis of screening for each protected characteristic against these parameters, impact will be minimal in other areas.

Stage 2: Data and Evidence Gathering, Involvement and Consultation

Include here the results of your evidence gathering, (including framing exercise), including qualitative and quantitative data and the source of that information, whether national statistics, surveys or consultations with relevant equality groups.

Characteristic: Age

Evidence gathered and strength / quality of evidence: The effect of COVID on statutory transitional plans has been significant. Following the trend of an increase in application numbers in 2020 to 2021, it is likely that this would increase due to the number of young people who

have experienced a lack of transition planning this year. A number of applicants to the Transition Fund would fall into this group of young people.

Source: Data obtained from communication and feedback from (potential) applicants.

Data gaps identified and action taken: ILF Scotland will continue to monitor applications to the Transition Fund during the COVID exit plan to determine the volume of young people impacted by the lack of transitional support.

Characteristic: Disability

Evidence gathered and strength / quality of evidence: The average payment under the current maximum award is £1,052. Since reducing the current award there has been significant contact from potential applicants indicating that there is a demand to increase the maximum award. Based on growth trends, setting the maximum award at £4,000 would likely move the average grant to around £1,850. This would enable young disabled people to broaden their applications and potentially apply for outcomes that they may currently be unable to under the maximum award of £1,500.

Source: Data obtained from monitoring Transition Fund applications and enquiries.

Data gaps identified and action taken: We will monitor the impact of the proposed increase of the fund on applicants.

Characteristic: Sex

Evidence gathered and strength / quality of evidence: We have specifically ensured the associated documents are de-gendered and

application is not based on sex. Gender is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.

Source: Co-Production Group

Data gaps identified and action taken: ILF Scotland will monitor applications to the fund. If this data highlights gender specific issues, we will work co-jointly with partner organisations to assess how ILF Scotland should take appropriate action to address this.

Characteristic: Pregnancy and Maternity

Evidence gathered and strength / quality of evidence: Our policies are gender neutral and are flexible to allow for changes in circumstances.

Source: Co-Production Group

Data gaps identified and action taken: We will cross reference with gender data collected so that impact on this protected characteristic is fully assessed if identified.

Characteristic: Gender Reassignment

Evidence gathered and strength / quality of evidence: Our policies are gender neutral and are flexible to allow for changes in circumstances.

Source: Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.

Data gaps identified and action taken: We intend to ask successful applicants to complete an anonymous equality monitoring form when application is agreed to inform our intelligence on gender reassignment.

Characteristic: Sexual Orientation

Evidence gathered and strength / quality of evidence: Our policies have been screened and discriminate in terms of sexual orientation. Eligibility is not based on sexual orientation. This information is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.

Source: Co-production group.

Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.

Data gaps identified and action taken: ILF Scotland Policies.

Characteristic: Race

Evidence gathered and strength / quality of evidence: Our policies have been screened and discriminate in terms of race. This is identified in an equalities monitoring section of the application but does not influence the evaluation of applications.

Source: Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.

Data gaps identified and action taken: We are aware that there was a limited ethnic profile in the historical award fund which may be linked to

the fact that very few ethnic communities access statutory services. We will ensure our application arrangements are responsive to requests from ethnic minorities, including asylum seekers who have leave to remain. This will include access to different languages and translation services if required.

Characteristic: Religion or Belief

Evidence gathered and strength / quality of evidence: Our policies and guidance allow for circumstances which require support based on cultural or religious belief. This is identified in the equalities monitoring section of the application but does not influence the evaluation of applications.

Source: Qualitative data will be captured on a voluntary basis through equality monitoring returns requested from successful recipients. We will review how we could capture the same information from all applications for future.

Data gaps identified and action taken:

Characteristic: Marriage and Civil Partnership

(the Scottish Government does not require assessment against this protected characteristic unless the policy or practice relates to work, for example HR policies and practices - refer to Definitions of Protected Characteristics document for details).

Evidence gathered and strength / quality of evidence: This policy doesn't base eligibility on marriage or civil partnership.

Source:

Data gaps identified and action taken:

Stage 3: Assessing the Impacts and Identifying Opportunities to Promote Equality

Having considered the data and evidence you have gathered; this section requires you to consider the potential impacts – negative and positive – that your policy might have on each of the protected characteristics. It is important to remember the duty is also a positive one – that we must explore whether the policy offers the opportunity to promote equality and / or foster good relations.

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

Age: Eliminating unlawful discrimination, harassment and victimisation

Positive: ✓ Applications will be accepted from young disabled people at a critical life stage who are transitioning between child and adulthood and may not be eligible or in receipt of support for this transition.

Negative: ✓ Institutionalised barriers may be significant and include access to housing, employment, social relationship, transport and education. The grant will not provide the answer to all issues young disabled people might face.

None:

Reason for your decision: This policy is intended to maximise the choice and control applicants are able to exercise over their grant by empowering the applicant to define what outcomes they want to achieve specifically in relation to inclusion and participation. It will provide applicants with funding which may be used to tackle barriers encountered by disabled people for example in education, employment, community. Applicants will be able to access clear advice at the outset about acceptable use of funding, support mechanisms available to manage the grant. The policy will clarify from the outset what types of

support will not be funded for example, any illegal or discriminatory activity; activity which exposes the applicants or others to unacceptable risk.

Age: Advancing equality of opportunity

Positive: ✓ Young disabled people aged between 16 to 25 years will be given priority to limited funding in the first instance.

Negative: ✓ Targeting of 16- to 25-year-olds will result in disabled people outside this age group being excluded in the first tranche.

None:

Reason for your decision: The grant will enhance choice and control options for young disabled people.

Age: Promoting good relations among and between different age groups

Positive: ✓ Prioritising support to young disabled people who are acknowledged to be underrepresented is intended to demonstrate an on-going commitment to equality for under-represented groups.

Negative: ✓ Disabled people not in the initial age group may feel excluded.

None:

Reason for your decision: Communication and consultation with disabled communities and organisations has demonstrated support for initial targeting of young disabled people given their under representation.

Do you think that the policy impacts disabled people?

Disability: Eliminating unlawful discrimination, harassment and victimisation

Positive: ✓ Young disabled people are part of a protected characteristic group who are widely acknowledged to be under-represented

Negative: ✓ Funding restraints will not enable grant funding to extend to disabled people of all age groups.

None:

Reason for your decision: This policy impacts positively on the targeted young disabled people. It will empower young disabled people to challenge barriers and cultural or diversity issues which may present barriers.

Disability: Advancing equality of opportunity

Positive: ✓ Using a limited resource for the target group will rebalance, to some extent, societal barriers facing some young disabled people.

Negative: ✓ Disabled people outside the targeted age group will not be eligible for this stage of funding.

None:

Reason for your decision: Young disabled people are a protected characteristic group who are widely acknowledged to be under-represented. Grant funding is intended to advance equality of opportunity.

Disability: Promoting good relations among and between disabled and non-disabled people

Positive: ✓ Confirming an on-going commitment to disability equality will make disabled people feel valued.

Negative: ✓ Entrenched attitudes articulated by non-disabled people will still require to be challenged.

None:

Reason for your decision: Without on-going financial investment and realistic targeting of limited resources, young disabled people's rights as expressed in the 2010 Equality Act will not be advanced.

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

Sex: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: As applications are open to men and women possible unlawful discrimination is avoided provided the age criteria is met.

Sex: Advancing equality of opportunity

Positive:

Negative:

None: ✓

Reason for your decision: No distinction will be made between male and female applicants. Data monitoring will be analysed for any unintended preferential treatment of applicants or funding of gender related activities.

Sex: Promoting good relations between men and women

Positive:

Negative:

None: ✓

Reason for your decision: It is not expected that this policy will contribute to the promotion of good relationship between men and women.

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

Pregnancy and Maternity: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Applicants who are pregnant or have parental responsibilities will have the opportunity within their plan to define the impact of these responsibilities upon the outcomes they want to achieve. Where successful applications are made by pregnant women, adjustment will be made to enable pregnant woman to utilise funding in the best way to achieve outcomes.

Pregnancy and Maternity: Advancing equality of opportunity

Positive:

Negative:

None: ✓

Reason for your decision: Pregnancy will not be a barrier to the use of funding when awarded.

Pregnancy and Maternity: Promoting good relations

Positive: ✓

Negative:

None:

Reason for your decision: Ensuring equal access to pregnant or individuals with parental responsibilities will reconfirm a commitment to equality principles.

Do you think your policy impacts on transsexual people?

Gender reassignment: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Sexual definition is not an obstacle where the individual meets the eligibility criteria.

Gender reassignment: Advancing equality of opportunity

Positive:

Negative:

None: ✓

Reason for your decision: Transgender people will have the same equality of access where they are young disabled people aged 16 to 25 years and have met the same grant conditions. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.

Gender reassignment: Promoting good relations

Positive: ✓

Negative:

None:

Reason for your decision: Promoting equal access to other protected groups who meet the age eligibility criteria will foster good relations for

those with protected group status. Access to grant funds will also be extended to individuals with dual or multiple protected characteristics on the same basis as our protected groups.

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

Sexual Orientation: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Sexual orientation is not a factor where individual are young disabled people between 16 and 25 years of age. As above, grant conditions and use will apply equally to all groups with protected characteristics.

Sexual Orientation: Advancing equality of opportunity

Positive:

Negative:

None: ✓

Reason for your decision: People of any sexual orientation will have the same equality of access where they are young disabled people aged 16 to 25 years and have met the same grant conditions. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.

Sexual Orientation: Promoting good relations

Positive:

Negative:

None: ✓

Reason for your decision: Access will also be extended to individuals with dual protected characteristics.

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

Race: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Where the applicant is a young disabled person aged 16 to 25, race is not a barrier to application.

Race: Advancing equality of opportunity

Positive: ✓ Applications will be open to asylum seekers with leave to remain, advancing opportunities available within the current ILF fund.

Negative:

None:

Reason for your decision: Applicants will be considered from Asylum Seekers with Leave to Remain. This acknowledges individuals in this position have the same citizenship rights as other citizens in Scotland. Where an application is received where Leave to Remain may be due for review, this will be assessed to ensure in the intervening period, eligibility will be maintained until the end of the grant period. Careful consideration will be given to ensuring public information is widely distributed to agencies supporting young disabled people with this characteristic.

Race: Promoting good race relations

Positive:

Negative:

None: ✓

Reason for your decision: Membership of a specific race will not be a barrier to access provided age criteria is met.

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

Religion or belief: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Religion is not a barrier to application provided age eligibility criteria is met.

Religion or belief: Advancing equality of opportunity

Positive:

Negative:

None: ✓

Reason for your decision: Religion is not a barrier to application provided age eligibility criteria is met.

Religion or belief: Promoting good relations

Positive:

Negative:

None: ✓

Reason for your decision: It is not expected that this policy will contribute to the promotion of good relations between religions.

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

Marriage and Civil Partnership: Eliminating unlawful discrimination

Positive:

Negative:

None: ✓

Reason for your decision: Not relevant - applications are invited from individuals who are not employed by ILF Scotland who in any case would not meet the age eligibility criteria.

Stage 4: Decision Making and Monitoring

Identifying and establishing any required mitigating action

If, following the impact analysis, you think you have identified any unlawful discrimination – direct or indirect - you must consider and set out what action will be undertaken to mitigate the negative impact.

Have positive or negative impacts been identified for any of the equality groups?

Yes - eligibility criteria which is restricted to young disabled people. If this criteria is not met then application cannot be accepted and Policy TF02 will not apply.

Is the policy directly or indirectly discriminatory under the Equality Act 2010?

Not specifically. See Policy TF02 for reasons above.

If the policy is indirectly discriminatory, how is it justified under the relevant legislation?

No as above.

If not justified, what mitigating action will be undertaken?

No as above.

Describing how Equality Impact Analysis has shaped the policy making process

The overall aim of this policy is to state the increase in the maximum funding limit for the Transition Fund. These criteria were carefully determined following careful analysis of application and grant data.

Monitoring and Review

Following implementation, there will be continuous monitoring to assess how applicants and recipients are impacted by the increase in the fund.

Stage 5: Authorisation of EQIA

Please confirm that:

This Equality Impact Assessment has informed the development of this policy:

Yes

Opportunities to promote equality in respect of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation have been considered, i.e.:

- eliminating unlawful discrimination, harassment, victimisation
- removing or minimising any barriers and / or disadvantages
- taking steps which assist with promoting equality and meeting people's different needs
- encouraging participation (e.g. in public life)
- fostering good relations, tackling prejudice and promoting understanding

Yes

If the Marriage and Civil Partnership protected characteristic applies to this policy, the Equality Impact Assessment has also assessed against the duty to eliminate unlawful discrimination, harassment and victimisation in respect of this protected characteristic.

Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the revision to Policy TF02 - How Grant Funding Can Be Used.

Name: Linda Scott

Position: Director of Policy, Improvement & Engagement

Authorisation Date: 1 June 2021