

EQUALITY IMPACT ASSESSMENT RECORD

Title of policy/ practice/ strategy/ legislation etc.	Crofting Counties Agricultural Grants(Scotland) Variation Scheme 2015	
Minister	Dr Aileen McLeod	
Lead official	Phil Burns	
Officials involved in the EQIA	name	team
	Phil Burns Gordon Jackson	See below
Directorate: Division: Team	Agriculture & Rural Development Division – Rural Business Development & Land Tenure Branch	
Is this new policy or revision to an existing policy?	A modified continuation of a previous grant scheme in accordance with European Commission legislation.	

Screening

Policy Aim

The purpose of the Crofting Counties Agricultural Grants Scheme (“CAGS”) is to provide financial assistance to crofters and certain occupiers of croft land in the Crofting Counties and areas designated for crofting to assist the improvement of crofting agriculture, as part of the general policy of compensating crofters for disadvantages of climate, scale, terrain and remoteness and to preserve an agricultural base in crofting areas.

The policy contributes to national Outcomes 2, 11 and 12 – realisation of full economic potential, resilient and supportive communities, and protect and enhance the natural environment for future generations.

Who will it affect?

Crofters and certain occupiers of crofts will benefit from investment in the improvement of their agricultural capacity. Tradespeople involved in crofting areas will also benefit from increased business opportunities related to the works that are to be assisted. The local communities and economies will also benefit from the returns from the investments made.

What might prevent the desired outcomes being achieved?

There is little likelihood that the outcomes will not be achieved. The only barrier would be low uptake of the scheme, but that is mitigated by the attractive nature of the modifications to the grant scheme. In the majority of instances, a higher level of financial assistance is to be provided.

Stage 1: Framing

Results of framing exercise

The Crofting Counties Agricultural Grant Scheme has been in successful operation for a number of decades, and the scheme has provided in the region of £1.5-2.0 million per annum to assist the agricultural infrastructure of crofts. The Scottish Government is required to report on the economic condition of crofting every four years. In 2014, an estimated £86 million of revenue was generated by crofts – with the assistance towards croft infrastructure helping to reach that amount.

Extent/Level of EQIA required

Applicants for assistance are not asked for information that might identify them as a member of a group with protected characteristics.

Applications for assistance from the eligible recipients of Crofting Counties Agricultural Grant Scheme assistance are considered equally only on the basis of agricultural benefits and value for public funds. No other factor is taken into consideration. No eligible recipient is disfavoured by discrimination of any nature.

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.

Characteristic¹	Evidence gathered and Strength/quality of evidence	Source	Data gaps identified and action taken
AGE	No direct empirical evidence is available on the age distribution of those eligible for CAGS assistance, although it is generally accepted that the average age of all crofters is increasing and is currently around 57 years.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
DISABILITY	No direct empirical evidence available although it is likely that those eligible for CAGS assistance are, in general, not disadvantaged in any way from carrying out agricultural activity.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
SEX	No direct empirical evidence available although it, at March 2013, the Crofting Commission reported registered crofters as approximately 60% male and 35% female. Insufficient information existed for the remaining 5%.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
PREGNANCY AND	No direct empirical evidence available.	Not applicable	No action considered

¹ Refer to Definitions of Protected Characteristics document for information on the characteristics

MATERNITY			necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
GENDER REASSIGNMENT	No direct empirical evidence available.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
SEXUAL ORIENTATION	No direct empirical evidence available.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
RACE	No direct empirical evidence available.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
RELIGION OR BELIEF	No direct empirical evidence available.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.
MARRIAGE AND CIVIL PARTNERSHIP (the Scottish Government does not	No direct empirical evidence available.	Not applicable	No action considered necessary to obtain direct evidence as it does not directly or indirectly impact upon the policy.

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)

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	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination, harassment and victimisation			X	Assistance is provided to those in control of acroft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations among and between different age groups			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

Do you think that the policy impacts disabled people?

Disability	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination,			X	Assistance is provided to those in control of acroft, irrespective of characteristics subject to EQIA.

harassment and victimisation					Policy is neutral to this consideration.
Advancing equality of opportunity				X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations among and between disabled and non-disabled people				X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Sex	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations between men and women			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Pregnancy and	Positive	Negative	None	Reasons for your decision

Maternity				
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

Do you think your policy impacts on transsexual people?

Gender reassignment	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Sexual orientation	Positive	Negative	None	Reasons for your decision
Eliminating unlawful			X	Assistance is provided to those in control of a croft,

discrimination					irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity				X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations				X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Race	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.
Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good race relations			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Religion or belief	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.

Advancing equality of opportunity			X	Tenancy and ownership arrangements for crofts are not affected by the policy. Assistance is available to all on an equal basis. Policy is neutral to this consideration.
Promoting good relations			X	Not applicable. Assistance is available to all on an equal basis. Policy is neutral to this consideration.

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

Marriage and Civil Partnership ²	Positive	Negative	None	Reasons for your decision
Eliminating unlawful discrimination			X	Assistance is provided to those in control of a croft, irrespective of characteristics subject to EQIA. Policy is neutral to this consideration.

² In respect of this protected characteristic, a body subject to the Public Sector Equality Duty (which includes Scottish Government) only needs to comply with the first need of the duty (to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010) and only in relation to work. This is because the parts of the Act covering services and public functions, premises, education etc. do not apply to that protected characteristic. Equality impact assessment within the Scottish Government does not require assessment against the protected characteristic of Marriage and Civil Partnership unless the policy or practice relates to work, for example HR policies and practices.

Stage 4: Decision making and monitoring

Identifying and establishing any required mitigating action

Have positive or negative impacts been identified for any of the equality groups?	No.
Is the policy directly or indirectly discriminatory under the Equality Act 2010 ³ ?	No.
If the policy is indirectly discriminatory, how is it justified under the relevant legislation?	Not applicable.
If not justified, what mitigating action will be undertaken?	Not applicable.

Describing how Equality Impact analysis has shaped the policy making process

The policy is a continuation of a pre-existing grant assistance scheme; with the current changes relating to ensuring that revised assistance levels legislated for by the European Commission may take effect.

The policy of granting assistance to crofters for agricultural infrastructure has been operated on equal opportunity principles for a number of decades, and the current policy takes that forward under increased levels of assistance.

³ See EQIA – Setting the Scene for further information on the legislation.

Applications for assistance will continue to be open to all on an equal basis and be assessed on the basis of agricultural justification and value for money. No other factors are considered.

Monitoring and Review

There are no equality issues identified by this EQIA and no specific monitoring and evaluation is required.

Applications for assistance are tested on a quota basis determined by the European Commission legislation and any improvements and enhancements to the operation of the policy are relayed to all staff who consider applications.

Stage 5 - Authorisation of EQIA

Please confirm that:

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

Yes No

- ◆ 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 No

- ◆ 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:

Yes No Not applicable

Declaration

I am satisfied with the equality impact assessment that has been undertaken for the Crofting Counties Agricultural Grants(Scotland) Variation Scheme 2015 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name:

Position: Deputy Director, AFRC – Agriculture and Rural Development Division

Authorisation date: