

Equality Impact Assessment of Draft 2020-23 Corporate Plan

Title of Policy -

Crown Estate Scotland **Draft 2020 – 23 Corporate Plan,**

Background

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 sets out the specific duties for certain public bodies to undertake Equality Impact Assessments of their policies or practice. Crown Estate Scotland is not listed within the regulations or the schedule and therefore the specific duties i.e. to carry out an Equality Impact Assessment, do not apply to Crown Estate Scotland.

Crown Estate Scotland is, however, subject to the public sector general equality duty set out in the Equality Act 2010 which requires public authorities, in the exercise of their functions, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The equality duty is applicable to the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The equality duty also covers marriage and civil partnerships, with regard to eliminating unlawful discrimination in employment.

While Crown Estate Scotland is not subject to the specific duties of the Act, the principle of assessing impact is useful in helping us to meet the requirement to pay due regard to the needs of the general equality duty.

Approach to Assessment

Our assessment has been informed by the guidance set out in the Equality and Human Rights Commission's publication *Assessing impact and the Public Sector Equality Duty: a guide for public authorities (Scotland)* which provides a detailed explanation on The General Duty and The Specific Duties.

Our assessment is also based on the approaches set out in previous assessments made by the Scottish Government. These have been made publicly available on the Scottish Government web site - [EQIA](#) and present the range of approaches that we have drawn on to inform our own approach.

Summary of aims and objectives of draft Corporate Plan

The draft Corporate Plan sets out Crown Estate Scotland's purpose to invest in property, natural resources and people to deliver wider value for Scotland. The draft plan sets out five Strategic Objectives which detail the activities that we propose to undertake over 2020-23 to deliver the

vision of 'Communities and businesses thriving through enterprising and sustainable development of property and natural resources.'

The strategic objectives are:

SO1 - Support the sustainable expansion of Scotland's blue economy, focussing on marine and coastal development.

SO2 - Develop built environment that strengthens communities and benefits businesses

SO3 - Invest in innovation and work with tenants to enable sustainable natural resource use.

SO4 - Build partnerships for people and the planet

SO5 - Develop and deploy our people's expertise to deliver value and success

Our objectives align with the National Performance Framework and the UN's Sustainable Development Goals.

In delivering these objectives, Crown Estate Scotland will apply our values of collaboration, excellence, integrity and commercialism and act as investor, enabler, asset manager and coordinator.

The draft corporate plan reflects the requirements of the Scottish Crown Estate Act 2019 which provides for Scottish Crown Estate assets to be managed in a way which delivers greater value beyond financial return and enables other bodies to take on management responsibilities.

Impact of the draft Corporate Plan on equalities

Crown Estate Scotland's core purpose is investing in property, natural resources and people to generate lasting value for Scotland. The actions outlined in the draft plan are positive in intent to benefit all people and to treat people equally. The draft Corporate Plan is a high level, strategic document setting out the organisation's objectives and actions for the period 2020-2023 and does not provide the detail of how these objectives and actions are implemented.

The draft Corporate Plan reflects the requirements of the 2019 Scottish Crown Estate Act which promotes sustainable development, ensuring (all) community needs are taken into account, alongside those of the economy and the environment.

Key points in relation to the assessment of impact on equalities are as follows:

- The draft Corporate Plan states explicitly that Crown Estate Scotland will encourage diversity in terms of who uses the land and property that we manage e.g. encouraging new entrants into farming.
- The draft Plan sets out an action to ensure decision making processes and tools are inclusive (see action 34 in the draft Corporate Plan).
- The draft Plan states that our work across seabed, coastline and rural estates impacts thousands of people and businesses and that with this wide reach comes a responsibility to manage the assets in a way that delivers for all.

- The draft Corporate Plan promotes the local management pilots which seek to promote increased stakeholder involvement (including communities) in decision making and management of the Scottish Crown Estate.
- The draft Plan highlights the intention to formalise our approach to community engagement, developing a community engagement strategy and ensuring that our approach and decision making is transparent and informed by the views of our stakeholders. All sectors of society are encouraged to engage with Crown Estate Scotland both through our engagement strategy and through the management pilots project. Through this approach, all interested parties will have the opportunity to engage with Crown Estate Scotland and to provide feedback on how the estate is managed, including on equality issues.
- Community and social wellbeing is identified in the draft Corporate Plan as one of the proposed criteria for investment decisions. This provides scope to consider inclusiveness and equality issues as part of the decision-making process.
- As part of our internal people strategy, the draft Plan states that we will strengthen our commitment to equality and diversity including through equality and diversity monitoring and regular training.

On the basis of the above it is apparent that the draft Corporate Plan seeks to promote diversity in asset management and to be inclusive in decision making. The draft Plan will allow for the assets to be managed in a way that delivers for all and commits to ensuring our staff are aware of and trained on diversity and equality issues.

Leasing arrangements

One of the main ways that Crown Estate Scotland interacts with people and communities is through our leasing/tenanting arrangements. The draft Corporate Plan is committed to providing the best service possible: working with tenants for mutual benefit; helping tenants succeed; and realising opportunities for sustainable development.

The draft Plan outlines our responsibility to manage leasing in a way that reflects the importance of the assets in sustaining livelihoods and as a focal point for community life. It stresses the importance of ensuring an efficient and effective service for our tenants using IT solutions to support improved communications, addressing communication preferences that exist amongst some individuals.

We will endeavour to work with and support all tenants on an equal basis and recognise that there would be value in emphasising this point in the finalised Corporate Plan.

Consultation

Consultation on the draft Corporate Plan took place between 31 August and 9 December.

Three specific questions were asked on equalities as part of the consultation:

1. Are there any key issues or opportunities we should consider to make sure that the draft Corporate Plan works for different equality groups or for people from different socio-economic backgrounds?

Consultation response:

- Regarding different socio-economic groups it was considered important to ensure local people benefit from the economic opportunities it is hoped will result from Crown Estate Scotland investment in the blue economy.
 - It was hoped that engagement with Crown Estate Scotland would be more open going forward and that this will be to the benefit of different equalities groups. Cooperation and consent was stressed as a feature of efficient government and administration.
 - It was considered that the Corporate Plan should acknowledge that Scotland's communities are demographically variable. That this is particularly true of coastal communities where diversity will be less than in the major conurbations and where laudable equality and inclusion criteria may be less appropriate in terms of achievability.
 - Ensuring all communities can engage equally was stressed by a respondent. Some communities will need more support to build the capacity and skills required to engage in partnership and funding opportunities.
 - The Scottish Council for Development and Industry emphasised the importance of equality in recruitment practices stressing the importance of inclusive, innovative recruitment in supporting equality and diversity in the workplace. SCDI stated that evidence is clear that more diverse workforces are more productive and resilient.
2. Do you think any of the outcomes or actions in the draft Corporate Plan will impact differently on people who share protected characteristics? (for example, in relation to their age, disability, gender, pregnancy/maternity, marital status, gender identity, sexual orientation, race, religion or belief).

Consultation response:

- A respondent stressed the importance of Crown Estate Scotland taking an egalitarian approach.
 - A respondent felt that people who live on islands should be included as a grouping who may be impacted differently but concluded they are likely to be positively affected by the draft Corporate Plan.
3. Are there any key issues or opportunities we should consider regarding how we may reduce inequalities of outcome in major strategic decisions in the draft Corporate Plan?

Consultation response:

No substantive responses were received.

In addition to the on-line consultation, Crown Estate Scotland also attended a number of consultation events where the opportunity to raise equalities issues was available. None were raised.

Responding to points raised through consultation

In response to the above consultation feedback, it is relevant to note that only five respondents (of 45) responded to the equalities questions, illustrating that as an issue equalities was not one of the key areas people responded on.

Regarding the comment that Crown Estate Scotland should be more open on engagement, this is an area that will be addressed through draft Corporate Plan proposals on the development of a formalised community engagement charter. There is an opportunity in developing the Charter to consider whether there are any particular equality needs that could be addressed or more effectively addressed through engagement.

Capacity building support is something that could be considered as part of proposals outlined in the draft Corporate Plan to provide a package of support to communities to fill gaps in existing support mechanisms.

And on benefit to local people, this is integral to the work we are doing on the local management pilots and as part of the work we are taking forward to provide support to communities across the Scottish Crown Estate.

Regarding the point made on island communities, we have carried out a separate Island Communities Impact Assessment of the draft Corporate Plan to ensure impacts on island interests are considered.

Recommendations and conclusions

On the basis of the above assessment, we do not consider that the draft Corporate Plan will have a negative impact on protected characteristics. Proposals in the draft Plan are intended to be positive and to be non-discriminatory. We do recognise however that the plan would benefit from some stronger referencing to our commitment to equality and we will introduce text on this basis, particularly in relation to our engagement with tenants.

The assessment process has identified that there do appear to be actions that we can take related to the implementation of the draft Corporate Plan that will positively address equalities. These relate to the consideration of protected characteristics in the implementation of the following:

- development of estate plans;
- development of funding and other support packages;
- development of the community engagement strategy; and
- implementation of the pilots management project.