

A7: Learning from Existing Duties

Climate Change

Mitigation Duty

There are non-mandatory reporting elements for the mitigation duty which might be for example: 'improving biodiversity, place-based initiatives or national/regional programmes and initiatives involving partners or communities.' It is suggested that this is important because 'the influence of public sector bodies goes much further than their corporate estate and it is important to capture this'.

Adaptation Duty

The framework is aligned with the national outcomes and the NPFs. It highlights that adaptation to climate change requires 'sustained, long-term commitment from an organisation'. Key areas of focus are organisational culture and resources; understanding the challenge; planning and implementation; working together.

Examples of actions taken by organisations at the 'advanced' maturity stage for example include 'undertake strategic climate change risk assessment' and 'undertake project-level climate change risk assessment'. Similarly, depending on what is included in the WSD Bill, public bodies could be encouraged to undertake 'strategic' and 'project-level' PCSD assessments. Examples of the 'mature' stage include 'mainstreaming climate change risk assessment'.

For planning and implementation 'mature' level actions include:

'Taking action on adaptation is mainstreamed into your organisations functions'. Here we could replace adaptation with PCSD.

Alongside the main framework, there is also a benchmarking tool to take stock of progress, and a starter pack to help organisations quickly complete the starting maturity stage.

A7. Review of selected public bodies duties

Biodiversity

In June 1992 the UK signed the UN Convention on biological diversity at the Rio Earth Summit; in 2004 the Scottish government published a biodiversity strategy to help meet the subsequent obligations. The 2004 Act directed public bodies to have "regard to the Rio Convention and to act with reference to the aims and objectives of the 2004 strategy."

In 2010, the UN convention adopted new targets (the Aichi Targets) due to failure to meet the original goals. In 2013, and as a supplement to the 2004 biodiversity strategy, the Scottish government published the document "2020 Challenge for Scotland's Biodiversity" in the hope of meeting the Aichi targets.

The Wildlife and Natural Environment (Scotland) Act 2011 added an additional requirement for public bodies in Scotland: to submit a report detailing how they have met the biodiversity duty every 3 years. The first report fell due on 1st January 2015.

In the aftermath of this first reporting date the Scottish Government commissioned a study to evaluate compliance (“the 2015 evaluation study”). This was published in September 2016.

On 29 January 2018, the Public Audit and Post-legislative Scrutiny Committee issued a call for written evidence, seeking responses to four key questions:

- How well do you believe public bodies understand the biodiversity and reporting duties placed upon them?
- Do you believe that public bodies are adequately resourced to comply with the biodiversity and reporting duties?
- Do you think the requirement to report on the biodiversity duty leads to effective actions for improving and conserving biodiversity by public bodies?
- Are there any changes that could improve the actions taken by public bodies in respect of the biodiversity and reporting duties?

14 responses were received and oral evidence from stakeholders and the cabinet secretary for environment, climate change and land reform was taken at the end of May and start of June.

The committee’s report was published on 18th July 2018.

Findings of/issues raised by the Public Audit and Post-legislative Scrutiny Committee’s 2018 report into biodiversity and biodiversity reporting duties

The committee focuses on the low level of compliance with the reporting duty noting that the 2015 evaluation study found that, of 139 public bodies, “61 (44%) produced a biodiversity duty report, 35 (25%) did not publish a report and 43 (31%) may have produced a report but they did not respond to the survey and no report was available online.” (9)

During oral evidence the Cabinet Secretary said she hoped the compliance rates would increase by the end of 2018 but “acknowledged that there was still a high number of public bodies not engaged in the reporting process.” (13)

Reasons for low compliance articulated, or hinted at, in the report include:

- Because biodiversity may not be at the heart of what a particular public body does day-to-day, some believe they do not, or cannot, impact on biodiversity sufficiently to warrant making a report. (Paras)
- public bodies whose core activities had strong and easily identifiable links with retaining and enhancing biodiversity would be reporting on it anyway. As such the extent to which the duty to report added to efforts towards enhancing biodiversity might be questioned.
- A relative lack of ongoing communication between government and the public bodies regarding the biodiversity duty and duty to report. It was revealed that government only contacts in the immediate lead up to reports becoming due.

- Sufficient and clear guidance was a theme that emerged. Online guidance is provided at the SNH website, some witnesses suggested that this could be improved. What is that workshops might help public bodies understand their duties. Perhaps this would be most useful you're focused on non-nature conservation staff. 28-31
- Proportionate duties with regard to the size and type of organisation (for instance largely rural v largely urban) are three levels with different templates.
- Availability of biodiversity data in particular local baseline data to make it easier to assess how much impact a public body might have had on biodiversity. Wondered if diverting resources to recording and reporting on data might detract from the core activity of complying with biodiversity duty. 37 - 38
- Local Engagement - it was concluded that there would be a significant benefit to connecting the biodiversity duty to important local concerns. It was recommended that the Scottish government should include in the biodiversity reports a section on how a public body was engaging with the local communities. 39 - 40
- The suitability of a 1st January deadline for the biodiversity report was considered. It was noted that local authorities and health boards can take up to 3 months to pass a draft report through their required governance processes. There was a suggestion that aligning the reporting deadline with that for the existing climate change duty (30th of November) might make sense. The cabinet secretary was not convinced that changing the reporting date would lessen any challenges. She noted that the government was always happy to accept late submissions. The committee noted that future governments might not be as lenient and therefore a change in primary legislation might be advisable. They recommended that the government liaise with relevant organisations to see if there was a preference for an alternative reporting date. 42 - 44
- The committee concluded that it may help the compliance rate if public bodies were given clear guidance on exactly what the duty entailed and how it linked to the overall national biodiversity strategy as well as the overarching international targets. Scottish National Heritage give examples of working with public bodies to create "delivery agreements" in relation to projects that contributed to the Aichi targets. These agreements provide a clear set of priorities that then make biodiversity reporting more straightforward. SNH said they intended to increase the number of these delivery agreements. 25. Surely people need to know why biodiversity matters and to establish some sort of emotional connection with the targets rather than an approach that simply says we need to meet the targets because they are the targets. 24
- As well as more guidance, additional resources for public bodies also came up during the evidence gathering.

She went on to suggest that,

"I suspect that what is happening is that public bodies that have not really paid any attention to the original 2004 duty do not report because they have nothing to report...I suspect that people see the letter and think, "We do not really have anything to say." (13)

She also said that the challenge faced was, "how we get those that do not have the issue at the forefront of their minds to understand that they should be thinking about it in the course of the business. That was what was asked of them." (14)

How well do you believe public bodies understand the biodiversity and reporting duties placed upon them?

Public bodies involved in land management who are tasked with delivering on biodiversity targets are already clear on the action they need to take. Evidence suggested that all the bodies were not as clear on what the via Devine adversity duty entailed. (15)

“ The challenge of getting a number of public bodies to understand that, however little can be done, it is still valuable and contributes.” (16) is this proportionate for under pressure public bodies?

Is a committee concluded that, “the low level of compliance with the reporting duty is closely linked to the lack of compliance with the biodiversity duty.” (16)

The government only contacted public bodies in the final lead-up to the report being due. More regular communication and reminders throughout the entire cycle might be helpful. (26)

Do you believe that public bodies are adequately resourced to comply with the biodiversity and reporting duties?

Do you think the requirement to report on the biodiversity duty leads to effective actions for improving and conserving biodiversity by public bodies?

Are there any changes that could improve the actions taken by public bodies in respect of the biodiversity and reporting duties?

This might explain the relatively low compliance rate - many bodies probably felt that their activities did not significantly influence biodiversity and thus they had little, if anything, to report and/or they would find it difficult to identify what actions they ought to be taking. (13,15)

The Cabinet Secretary agreed that the challenge was to get all public bodies thinking about biodiversity in the course of their business. She suggest that that was what the duty was asking them to do. That feels like it could be quite a taxing duty for those not directly involved in conservation. We might ask if the effort involved in meeting the reporting duty will be worth it in terms of biodiversity outcomes. The secretary of state suggested that “however little can be done, it is still valuable and contributes“ 14 and 16.

There was some suggestion that reports were not always published in a timely fashion on the SNH website. 45 - 47.

Main point comes through is proportionality - was legislating, or legislating in this way too blunt an instrument given the range of public bodies.

Secretary of State referred to the challenge of, “getting a number of public bodies to understand that, however little can be done, it is still valuable and contributes.” (16) BUT IS THAT RIGHT? IS IT PROPORTIONATE?

“We asked them to have regard to biodiversity in the course of their normal functions and, some years later, we asked them to report on what that looked like.” Secretary of State (18)
But did they help make that easier in the interim?

An overarching question might be, given the plurality that is evident amongst public bodies, it is proportionate to assign the same duty to all of them? Or at least the same duty at the same time.

Based on the committee's findings it seems to me that in being asked to report on their efforts to meet the biodiversity duty, public bodies may have been asked to run before they can walk. I could find no suggestion that any assistance or training was provided to public bodies before the 2004 Act established the biodiversity duty or between then and 2011 when the duty to report came into being. Particularly in the case of those bodies without any biodiversity expertise, there would be a need to make the case for why biodiversity matters in order to motivate the individuals who had to work towards fulfilling these duties. (24)

Until taking biodiversity requirements into account has been integrated into the day-to-day activities of a public body it seems unrealistic to ask them to report on their progress. Indeed, it may be counterproductive if the need to report becomes regarded as more important than making genuine progress.

It seems more reasonable to ask those for whom biodiversity is a core concern, to The report does acknowledge that there are different reporting templates available and therefore some variation in what is expected.

Perhaps the 2004 Act could, in the first instance, have imposed the biodiversity duty only on those public bodies deemed to have a clear connection to biodiversity activities, whilst laying out a timeframe for the remainder of Scotland's public bodies to be included. This delay would allow for appropriate training and funding to be accessed. The training of the less confident bodies could have been led, or inspired, by these more experienced and expert agencies. This might have been done directly body-to-body or through Scottish National Heritage.

Public sector equalities duty

The Equality Act 2010 introduced the Public Sector Equality Duty (PSED) to the UK. It includes three core needs - eliminate discrimination, advance equality of opportunity between groups and foster good relations. The SSD (Scottish Specific Duties) apply to Scotland only and came into force in May 2012. They aim to help public bodies meet these three needs and, amongst other things, place them under a duty to report on progress towards mainstreaming the equality duty, ask them to formulate and publish the equality outcomes they intend to pursue (and report on progress) and publish an array of equality data.

In 2021 the second reporting cycle came to an end and the Scottish Government is reviewing progress by compiling a “Stage One Report”, forwarding proposals for improvement and then holding a public consultation (active currently).

Some of the themes that seem to be emerging from this ongoing process include:

- A concern that asking public authorities to collect equality-specific data and then generate reports places pressure on already under-resourced organisations that may not have appropriately trained staff who can confidently meet these requirements. At the same time there are suggestions that more and/or better data is required.
- There seems to be a recognition that public authorities have found it hard to go beyond anti-discrimination measures towards the more positive and proactive task of fostering good relations between groups.
- A fear that the current approach might be counterproductive in that it diverts attention, energy and resources away from actually making a concrete difference to the life chances of those with protected characteristics in favour of data collection and report writing.
- There is a suggestion that public authorities ought to use more participatory policy making approaches, paying greater regard to the lived experience of those thought to be facing unjust inequality. But at the same time it is acknowledged that communication between groups with protected characteristics and public authorities is not easy and could often be done much better (resources and expertise allowing).
- There is a call for the Scottish Government to play a larger role in the setting of outcomes that the SSD currently asks public authorities to formulate themselves. Not clear how well this aligns with the above call for more bottom-up participation).
- Overall there is clearly a feeling that the legislative regime as it stands has not managed to “mainstream equality” to the extent that was originally hoped.

What follows has been cut and pasted from a few different sources and then combines, edited/rewritten to provide a more concise overview.

What is the public sector equality duty?

The public sector equality duty was created by the Equality Act 2010 and replaces the race, disability and gender equality duties. The duty came into force in April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It applies in England, Scotland and in Wales. The general equality duty is set out in section 149 of the Equality Act. In summary, those subject to the general equality duty must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

(Elsewhere these are referred to as “the three needs of the PSED”)

To ‘have due regard’ means that in carrying out all of its functions and day to day activities a public authority subject to the duty must consciously consider the needs of the general equality duty: eliminate discrimination; advance equality of opportunity and foster good relations. How much regard is 'due' will depend on the circumstances and in particular on the relevance of the needs in the general equality duty to the decision or function in question in relation to any particular group. The greater the relevance and potential impact for any group, the greater the regard required by the duty.

The duty to have due regard to the need to eliminate discrimination in the area of employment, also covers marriage and civil partnership. The Equality Act also gives Scottish Ministers the power to impose specific equality duties through regulations.

What are the specific equality duties? (“SSD” - Scottish Specific Duties)

The public sector equality duty is in two parts – the public sector equality duty in the Equality Act 2010 - often referred to as the ‘general duty’ and the specific equality duties introduced by Scottish Ministers through regulations (as amended).

Created by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (came into force on the 27 May 2012 then amended in 2015 and 2016).

The specific equality duties are not an end in themselves; they are intended to enable the better performance of the general equality duty.

Only authorities that are listed as subject to the general duty can be subject to the specific equality duties. For a list of which public authorities are subject to special duties see <https://www.equalityhumanrights.com/en/public-sector-equality-duty-scotland/listed-authorities-covered-scotland-specific-duties>

Public authorities subject to the specific equality duties are required to:

- report on mainstreaming the equality duty
- publish equality outcomes and report progress
- assess and review policies and practices
- gather and use employee information
- publish information on board diversity and succession planning
- publish gender pay gap information
- publish statements on equal pay
- consider award criteria and conditions in relation to public procurement
- publish required information in a manner that is accessible.

The exact content and timing of reporting duties vary between every 2 to 4 years depending on the size of the organisation and the specific aspect being reported on. See <https://www.equalityhumanrights.com/en/public-sector-equality-duty-scotland/listed-authorities-covered-scotland-specific-duties>

“Mainstreaming” equality means integrating the general equality duty into the day-to-day working of an organisation. It is for the organisation themselves to decide how best to do this. The specific equality duties require a listed public authority to publish a report on the progress it has made to make the equality duty integral to the exercise of its functions to better perform that duty.

“Equality outcomes” are results intended to achieve specific and identifiable improvements in people’s life chances. Public authorities are not required to set equality outcomes for each protected group. Each public authority will have flexibility to decide what equality outcomes and how many to set. In preparing equality outcomes public authorities must consider relevant evidence relating to equality groups and communities and take reasonable steps to involve them in the process of preparing outcomes. Gathering and analysing this evidence will help public authorities to understand the most significant equality issues and to demonstrate that the equality outcomes set are supported and justified by evidence.

A “public function” refers to activities that are carried out on behalf of the State not similar in kind to services that could be performed by private people. Where a private or voluntary organisation provides a “public function” it is then subject to the general equality duty.

There have now been two full cycles of SSD related activity in Scotland: 2013-2017 and 2017-2021.

A review of the PSED in Scotland is underway which focuses on:

- the effectiveness of the SSDs, for which the Scottish Parliament has legislative competence; and
- the implementation environment for the PSED in Scotland; in recognition of the fact that regulations alone do not deliver equality, but that factors such as leadership, capacity etc. are critical.

There are two stages to this review, the first was a Stage One Report which informed the development of detailed proposals for a new strategy for better mainstreaming of equality and human rights. These proposals would in turn form the basis of the second stage, a public consultation.

Stage One Report

Report can be found [here](#)

Interim Conclusions (section 6 of the stage one report)

Overarching interim conclusion is that the overall framework of a general, positive duty, supported by the scaffolding of specific duties, is worthwhile and can be an effective driver for progress; but that its full potential has, thus far, been unrealised.

It is clear that more could be done to:

- 1. Ensure more effective use of evidence and data**

Calling for collection and use of better intersectional data.

Concern that some duty bearers fail to act on data after it has been published; and that some organisations are overly cautious about publishing information which they feel could identify individuals e.g. on job applications.

2. Strengthen participatory policy making and ensure that lived experience informs policies and decisions

The rationale lying behind some of the SSDs is that policy is best when shaped by a diverse range of people. Thus many SSDs are designed to be participatory. It's thought that more needs to be done to hear from those most affected by decisions but often furthest from decision making and least heard.

3. Improve the links between equality and human rights discourses

The EHRC has noted that human rights discourses can frame equality too narrowly as simply about non-discrimination, as opposed to actively advancing equality. The Commission has also noted the Scottish Government's ambitious agenda on advancing human rights, e.g. via incorporating certain human rights treaties into Scottish law, and have advised that any new equality framework will need to be future proofed to ensure that it complements new human rights imperatives and duties.

4. Strengthen leadership related to the equality framework

Challenges in attracting the attention and support of their senior leaders when it comes to equality matters, due to such factors as the wide range of competing priorities and to resourcing pressures.

Some staff resourcing for PSED/equality work is minimal with some roles having equality as part of a larger portfolio. The EHRC has noted that generally, smaller public authorities with more limited resources struggle to meet the requirements of PSED and the SSDs.

5. Reduce bureaucracy associated with the PSED regime

Concerns about complex reporting requirements, including timescales that do not align with their other obligations (although EHRC guidance offers leeway on this); and the diversion of resources to the preparation of reports rather than more meaningful activity.

Sense that the regime drives a focus on regulation and compliance, not on meaningful outcomes for people with protected characteristics. Should prioritise delivering outcomes rather than processes.

6. Increase clarity re: coverage, proportionality, and processes

For instance, whether it's appropriate for some very small public bodies to be subject to the PSED alongside large local authorities.

Also, when the Scottish Government seeks to add a public body to the list of those subject to the PSED and impose duties under the Act there is no legal requirement under the 2010 Act to consult with or inform that body (only with the EHRC). Could communication could be improved in relation to the duties they will be subject to?

7. Improve support and capacity building, considering also the question of resourcing

Questions regarding the ability of the EHRC to support development work on equality matters compared with previous years. Also the value of the current suite of guidance on the PSED and the SSDs, and a need to refresh, bring together, simplify and streamline this guidance.

Seems to be a mismatch between duty bearers' levels of certainty about what is possible within the scope of the current regulations, and the guidance offered by the regulator. It may be that duty bearers need more explicit permission to do what works in their context.

8. Improve the cohesiveness of the regime with duties more obviously connected and mutually reinforcing

It has been raised by both equality stakeholders and the EHRC that the duties can sometimes seem disparate, and to drive separate but disconnected processes. For example, equality outcomes are not always informed by the data gathered under the data related duties.

This does not lend itself to a clear and systemic approach in which data and evidence drives the selection of outcomes, which are then pursued through an appropriate action plan and subsequently reported on within a mainstreaming report.

9. Improve the understanding of and approach to mainstreaming

"if mainstreaming is everybody's responsibility in general, it's nobody's in particular." Cited in the stage one report

Sometimes a tendency for equality concerns to be the job of dedicated personnel not every team in a public body. Perhaps equality mainstreaming presupposes that everyone has the skills to work on equality when in fact they require training.

The duty to report on mainstreaming generates a significant amount of reporting activity, but perhaps not always to meaningful improvement in the lives of people who share protected characteristics. Perhaps the wording of the duty to report on mainstreaming, with its focus on reporting on progress, impedes the thinking that is necessary in public bodies about how to make equality integral to their business.

Reporting at intervals of not more than two years often creates obligations which sit apart from their corporate planning cycles, and causes bureaucratic difficulties.

10. Consider new approaches to outcome setting, including the setting of shared outcomes

By focusing on outcomes rather than objectives, this specific duty aims to bring practical, specific and identifiable improvements in life chances.

In general, outcome setting appears to deliver less quantifiable change for equality groups than the regulations intended.

Outcomes have too often been focussed on a public authority's own policies and processes and/or have been so broadly expressed - perhaps aiming at advancing equality for everyone - thereby diluting their effectiveness.

The cycle for setting and publishing equality outcomes would be more effective if it were able to be aligned with their corporate planning cycles which would help make outcomes more meaningful and more connected to other priorities.

EHRC hopes the Scottish Government will play more of a leadership role in outcome setting work in the future e.g. in shaping outcomes which could potentially be shared across the public sector, or in sharing evidence of priority inequalities to be tackled through outcomes in specific sectors and working collaboratively to shape them.

11. Strengthen the current approach to assessing policies, including by recasting this as a forward-looking obligation which tests ideas and is done early

Concerns in this area can be summed up as:

- A focus on process – people think of this duty as being about completing a form or a template
- Timing – assessments and reviews are often done too late, or not at all; and are often backward looking rather than forward looking.
- Assessments can sometimes use little evidence, or involve little engagement of people with lived experience
- Ambition - too rarely used to identify opportunities to positively advance equality rather than just limiting discrimination.
- Level – whether impact assessment is routinely completed for strategies or whether this step is missed, with the expectation that the individual policies which collectively contribute to a strategy will be assessed in due course.
- Transparency – impact assessments are not always published or published late or are not easy to find; different public bodies take different approaches, with some integrating different assessments.

Need to also consider the reality of the policy making environment and culture we need to shift. Decisions often have to be made quickly, with many different considerations in play.

Even if an impact assessment doesn't meet the needs of the PSED it can still lead to improved transparency, accountability of decision-making, increased awareness of the public, and increased trust between stakeholders.

12. Support the gathering, use and reporting of a wider range of employee data

There is variable practice in gathering and using employee information, and on the publishing of equal pay statements

13. More effectively leverage purchasing power in procurement processes

Issues raised in relation to this include:

- The wording of the regulation – it could be said to be weak or to appear optional
- The guidance may need a refresh or to be more prominent

14. Enhance the accessibility of PSED related publications, and consider the scope of the SSDs to advance progress on inclusive communication more generally

Could be improvement in the perception and understanding of inclusive communication as a 2-way process, in which everyone in Scotland can access information and express their views and needs on an equal basis

Ability of public bodies to rapidly communicate across different languages and formats does not always meet the needs of people with protected characteristics. Especially for Gypsy/Traveller community, disabled people, people who speak languages other than English, and asylum seeking and refugee teenagers.

15. Explore how best to use the duties relating to Scottish Ministers.

Regulation 11 obliges public authorities to “consider such matters as may be specified from time to time by the Scottish Ministers.” This regulation has never been invoked, and there is no specific learning about it arising from the period of the pandemic; but there are more general questions about how it could be effectively used in the next cycle of PSED-related activity.

The Scottish Government wishes to see a regime which more clearly drives progress and positive outcomes for people with protected characteristics and which supports the delivery of the National Performance Framework.

However, the current regime is relatively well known and embedded. The Scottish Government believes it would be more pragmatic and effective to amend and update the current SSDs rather than replace them, whilst also developing a programme of work to support the implementation environment.

This could include new or refreshed guidance on a range of matters; new resources making the interconnections between duties clearer; a support function for public authorities; as well as regulatory changes, such as amendments to certain duties. This may also include research on aspects of the regime about which more needs to be known.

Public Consultation Document

The interim conclusions from the Stage One Report then became the following proposals for reforming the SSD approach in the [public consultation document](#):

- 1. Creating a more cohesive regime and reducing perceived bureaucracy**
- 2. Embedding Inclusive Communications**
- 3. Extending pay gap reporting to include ethnicity and disability**
- 4. Assessing and reviewing policies and practices**
- 5. A new equality outcome setting process**
- 6. Improving duties relating to Scottish Ministers**
- 7. Procurement**

The consultation also includes areas where the Scottish Government are seeking more views and evidence:

- 8. Intersectional and disaggregated data analysis**
- 9. Intersectional gender budget analysis**
- 10. Coverage**
- 11. Strengthening leadership and accountability and enhancing capability, capacity and culture**
- 12. Guidance**
- 13. Positive action**

Resources Consulted

<https://www.gov.scot/publications/public-sector-equality-duty-scotland-consultation/>

<https://www.gov.scot/binaries/content/documents/govscot/publications/progress-report/2021/03/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/documents/equality-outcomes-mainstreaming-report-2021-mainstreaming-report/equality-outcomes-mainstreami>

[ng-report-2021-mainstreaming-report/govscot%3Adocument/equality-outcomes-mainstreaming-report-2021-mainstreaming-report.pdf?forceDownload=true](https://www.gov.scot/Document/Equality-outcomes-mainstreaming-report-2021-mainstreaming-report.pdf?forceDownload=true)

<https://www.equalityhumanrights.com/en/public-sector-equality-duty-scotland/public-sector-equality-duty-faqs>

<https://www.equalityhumanrights.com/en/public-sector-equality-duty-scotland/listed-authorities-covered-scotland-specific-duties>