



Equality, Fairness and Rights Impact Assessment (EFRIA)

The Equality, Fairness and Rights Impact Assessment (EFRIA) is one of our specific duties to [assess the impact](#) of applying a new or revised policy or practice against the needs of the General Equality Duty. This means East Renfrewshire Council must be mindful when assessing impact against these needs to:

- ensure the policy does not discriminate unlawfully
- consider how the policy might better advance equality of opportunity
- consider whether the policy will affect good relations between different groups

The Fairer Scotland Duty places a legal responsibility on particular public bodies in Scotland to actively consider ('pay due regard' to) how they can reduce inequalities of outcome caused by socioeconomic disadvantage, when making strategic decisions. The UN Convention of the Rights of the Child (UNCRC) is an international human rights treaty which sets out the rights every child has. The Scottish Government is currently seeking to incorporate the UNCRC into Scot's law

The Equality, Fairness and Rights Impact assessment considers how a policy* could impact on the needs of individuals protected by the [Public Sector Equality Duty](#), [the Fairer Scotland Duty](#) and the [UN Convention of the Rights of the Child](#).

Name of policy*:	East Renfrewshire Council Gaelic Language Plan 2023-2028
Description of policy:	East Renfrewshire's second Gaelic Language Plan has been prepared within the framework of the Gaelic Language (Scotland) Act 2005. It sets out how we will use Gaelic in the operation of our functions, how we will enable the use of Gaelic when communicating with the public and key partners, and how we will promote and develop Gaelic.
Why is the policy required?	The Gaelic Language (Scotland) Act 2005 was passed by the Scottish Parliament with the view of giving an official framework to the efforts to grow, preserve and sustain the Gaelic language and culture. Under Section 3 of the Act, Bòrd na Gàidhlig has authority to issue a statutory notice to any relevant public authority, requiring it to prepare a Gaelic Language Plan and East Renfrewshire Council received this statutory notice in April 2022.
Date EFIRA completed:	August 2023
Completed by:	Megan McIntyre
Lead officer for policy:	Julie Breslin
Department:	Business Operations and Partnerships

*The term 'policy' covers any work or function of East Renfrewshire Council i.e. customer and service delivery, staffing, criteria, practices, proposals, activities and decision-making

Guidance – please read

Section 1

This section enables you to determine if a full assessment is required. If a full assessment is not required, this must be clearly stated in **Section 9** of the form.

Section **2-8** is the full assessment covering the sections listed below:

2	Engagement and Consultation Give details of how different groups have been consulted about the policy.
3	Impact on individuals or groups with protected characteristics How will the policy impact individuals or groups who fall under one of the nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation?
4	Impact on socio-economic disadvantage How will the policy impact individuals or groups disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications?
5	Impact on Children and Young People How will the policy impact on the rights and needs of children and young people?

6	<p>Contractors and suppliers</p> <p>Will the policy be delivered by any contractors or suppliers in full or partially?</p>
7	<p>Outcome of assessment and action plan</p> <p>What is your decision based on the assessment and are there any mitigations or actions that need to be addressed?</p>
8	<p>Approval</p> <p>Details of when and who approved the policy.</p>

Section 9 should only be completed where the screening shows no assessment is required

When completing the assessment you must consider relevant evidence, including information received from equality groups. This evidence should inform the result of your impact assessment. You're required to take action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and enhancing any potential for positive impact. If any adverse impact could result in unlawful discrimination, the policy must be fully reviewed and amended.

All impact assessments will be published on the Council website

1. Screening

This section should be completed to establish if a full assessment is required.

1.1 What is the nature of the work or activity?

Select a category from below that explains the work or activity you are doing.

<input checked="" type="checkbox"/> Policy or Strategy <input type="checkbox"/> Programme or Plan <input type="checkbox"/> Project delivery <input type="checkbox"/> Service or Function <input type="checkbox"/> Budget proposal <input type="checkbox"/> Other please state: Click or tap here to enter text.	Is this work or activity? <input checked="" type="checkbox"/> New <input type="checkbox"/> Change or review of existing <input type="checkbox"/> Other- Please state: Click or tap here to enter text.
1.2 What will happen as a result of this policy? What changes will come about for individuals and groups through this policy?- Select all that apply	
<input type="checkbox"/> Change to Council, Trust or HSCP charging arrangements (including introduction, removal, increase or decrease) <input type="checkbox"/> Change to how a service is delivered (including addition, change or removal of practices/procedures/processes) <input type="checkbox"/> Change to provision of services or staffing <input type="checkbox"/> Change to entitlement or eligibility for service delivery or welfare/benefit access <input checked="" type="checkbox"/> Other. Please state: Statutory Plan to be implemented- no significant change to service delivery	
1.3 Is there any indication or evidence the policy will discriminate unlawfully; affect equality of opportunity for different groups or affect good relations between different groups? Will any individuals be treated less fairly than others if this policy is implemented? This includes employees, residents, community groups and visitors to the area.	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know	
1.4 What groups of individuals are likely to be impacted by this policy? Select which groups of individuals are likely to be impacted positively or negatively if this policy is implemented.	

- The policy has potential to impact **individuals with protected characteristics***
- The policy has potential to impact **socioeconomic disadvantage** for individuals**
- The policy has potential to impact **children and young people up to the age of 18**
- The policy has no impact on individuals

***Protected Characteristics** are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

****Socio-economic disadvantage** is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications

1.5 What individuals will be affected?

Tick all that apply

- East Renfrewshire Council employees
- Organisations or individuals carrying out a service on behalf of the Council
- Voluntary sector groups/organisations
- People living in a specific area of East Renfrewshire. Please state: [Click or tap here to enter text.](#)
- Everyone living in East Renfrewshire
- People working, studying or volunteering in East Renfrewshire
- Visitors to East Renfrewshire
- A group of people with a shared interest:
 - Experiencing socioeconomic disadvantage (this includes low/no wealth, low income, area deprivation or material deprivation)
 - Being in a particular age category
 - Being from a black or minority ethnic group e.g. Gypsy/Travellers
- Speaking a language other than English
- Women/girls
- Identifying as Lesbian, Gay Bisexual or Transgender
- Belonging to a particular religion or belief

- Pregnant women or those on maternity/paternity leave
- Having a long term limiting health condition or disability
- Providing unpaid care for others
- Another group e.g. those experiencing homelessness, offenders/ex-offenders. Please detail: [Click or tap here to enter text.](#)
- Children and young people living in East Renfrewshire
- Children and young people using East Renfrewshire Council services
- Children and young people visiting East Renfrewshire
- None of the above

Review your answers above.

- If the policy has **no impact on individuals**, and you have selected 'no' to section 1.3, an impact assessment is not required. **GO TO SECTION 9**
- If the policy will have an impact on individuals and/or you have selected 'yes or don't know' to section 1.3, complete the full assessment. **GO TO SECTION 2**

2. Engagement and Consultation

This section will assess how the policy is being communicated to certain groups and how you have consulted them.

2.1 How have individuals (incl. children & young people) who might be affected by the policy been consulted or involved?

This can include a summary of findings from recent consultations, surveys, user research or customer testing that has been carried out. Include dates and information.

As part of the 2005 Act, public bodies are required to bring a draft of its Gaelic Language Plan to the attention of all interested parties. East Renfrewshire Council consulted publicly on the draft between May and June 2023 and has incorporated the findings into the final plan. The online consultation was open for six weeks and was promoted through the Council's social media channels.

- In total, there were 157 responses to the survey, with a further 324 'agreements' from respondents to other peoples' opinions on the Commonplace platform
- 6% of people who responded could understand/speak/read Gaelic

A significant number of respondents were concerned about the use of existing resources to implement the GLP given the relatively low numbers of Gaelic speakers, writers and readers in East Renfrewshire. Responses highlighted the following points to improve in the plan and which we have since incorporated:

- More detail is needed around opportunities available for adults to learn Gaelic
- Need for a better understanding of why the plan is important and the history of Gaelic in East Renfrewshire
- More information about how the plan will be resourced and implemented

Following a consultation in February 2022, a full assessment of the need for GMPE in East Renfrewshire was carried out, after five children were identified for the school year 2023/2024 and a further six children for subsequent years.

2.2 How will you communicate information about this policy to individuals who have: hearing and/or sight loss; English as an additional language; are digitally excluded; have literacy/numeracy barriers?

Think about how you will communicate information about the policy to the above individuals. This may include printed materials being accessible in other formats, e.g. Braille, easy to read, translated in other languages. More information can be found [here](#).

This document can be made available to individuals who experience communication or literacy/numeracy barriers in alternative formats upon request.



3. Impact on groups with protected characteristics

This section will assess if the policy has potential to impact individuals with protected characteristics. You should consider any evidence or information you have on how it will affect different groups of individuals, both positively and negatively.

Below is a suggested list of sources:

- Input from local Councillors
- Findings from engagement exercise and consultations.
- Information or feedback from groups of individuals, such as equality interest organisations or groups who speak on behalf of others
- National, regional or local statistics
- Analysis of enquiries or complaints from customers
- Recommendations from inspections or audits
- National or regional research to identify similar issues
- Comparisons with similar policies in other departments or authorities to identify similar issues

You may want to consider collecting new evidence that you don't have but think will be relevant. For example: setting up meetings or focus groups, carrying out user research.

3.1 Are there known inequalities within the policy?

For example: barriers to transport for some groups; opening hours and location, organisational pay, terms or conditions; how public information is provided?

Equal access to Gaelic opportunities for speakers of Gaelic

3.2 Use the table below to consider how the policy may impact on a particular group with protected characteristics through reviewing the evidence, experience and needs of this group

Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Age	A consultation in February 2022 assessed the need for GMPE in East Renfrewshire, after five children were identified for the	Positive- this plan aims to develop Gaelic in East Renfrewshire by increasing the learning and use of and promoting a positive image of the language. It aims to ensure that any pupil

	school year 2023/2024 and a further six children for subsequent years.	across East Renfrewshire has access to Gaelic learning opportunities through offering transport to the GME facility in Thornliebank
Disability or long term health condition	N/A	N/A
Race	N/A	N/A
Sex	N/A	N/A
Gender reassignment	N/A	N/A
Marriage/Civil Partnership (only applicable to Council employment policy)	N/A	N/A
Pregnancy / Maternity	N/A	N/A
Religion / Belief	N/A	N/A
Sexual orientation	N/A	N/A
Providing unpaid care	N/A	N/A
Any other relevant groups e.g. unemployed people, people experiencing homelessness, care leavers, people involved in the criminal justice system, people with literacy/numeracy barriers, people living in rural communities.	Results from the 2011 Census have shown that the decline in the number of Gaelic speakers in Scotland has slowed since 2001. The total number of people recorded as being able to speak and/or read and/or understand Gaelic was 87,056. Of these 58,000 people (1.1% of the population) aged three and over in Scotland were able to speak Gaelic. For the first time there was an increase in the number of speakers aged	Positive- this plan aims to develop Gaelic in East Renfrewshire by increasing the learning and use of and promoting a positive image of the language.

	<p>under 25, even though the overall figure decreased slightly. The census also showed that Gaelic speakers live in most communities across Scotland, with approximately 50% living in the Highlands and Islands, and 50% across the rest of the country.</p> <p>Since the launch of Gaelic on the Duolingo app on St Andrew's Day 2019, 1.5 million people have started learning the language to reconnect with their heritage, with the primary motivation for learning being recorded as culture.</p> <p>East Renfrewshire has a relatively small Gaelic speaking community. The 2011 census indicated that, across the council area, 0.997% (874 people) of those aged 3 and over, have some Gaelic language skills.</p> <p>As of August 2023, we are still awaiting the results of the 2022 Census, however we do know that there has been a significant population increase in the area which could potentially impact the findings.</p>	
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3.3 In what ways, if any, would this policy help to eliminate discrimination or undermine it?

Discrimination means treating individuals differently from others. For example, not recruiting someone as they are deemed too old/young; or a support group running on an upper floor with no lift access will discriminate against people with mobility issues or wheelchair users

This plan aims to eliminate discrimination as East Renfrewshire Council will make an active offer of our Gaelic services to our employees and the public. This will ensure that where Gaelic services are made available by us, Gaelic users are made aware of their existence, and are actively encouraged to use them. This will take the responsibility away from the individual to ask for the service and will give Gaelic users the confidence to know that their needs will be met if that is their choice. We will ensure that our Gaelic language services are as accessible as our English language services.

The recruitment of Gaelic speaking staff for the GME facility has meant that there has been some element of discrimination in the recruitment process for other applicants who are non-Gaelic speaking as this is an essential criteria for these roles. The Equality Act 2010 Act says discrimination can be justified if the person who's discriminating against you can show it's a proportionate means of achieving a legitimate aim such as running an efficient service or the requirements of an organisation. Therefore, although the recruitment process of staff for the GME facility can be seen as discriminatory against non-Gaelic speakers, this is justified in this instance as it is necessary for the staff to speak fluent Gaelic in order to teach the language to children and young people.

3.4 In what ways, if any, would this policy advance or undermine equality of opportunity?

This is when individuals from different backgrounds are treated fairly through providing an equal footing or level playfield to achieve outcomes. For example, children who have additional support needs are provided with teaching support to fully participate in the school curriculum or a deaf BSL user is provided with a BSL interpreter at health appointments.

This plan will advance equality of opportunity as, under the terms of the 2005 Act, public authorities are expected to work with a view to securing the status of the Gaelic language as an official language of Scotland commanding equal respect to the English language.

East Renfrewshire Council will ensure that where Gaelic is included as part of our operations and services, we will ensure they are of an equal standard and quality as those that we provide in English.

3.5 In what ways, if any, would this policy foster or undermine good relations between groups of individuals?

Consider aspects that may tackle prejudice or promote understanding between different groups. For example, ensuring new arrivals and refugees are given supports to integrate within local communities or an LGBTQI+ youth group provide training on LGBTQI+ experiences to a local faith group

This policy will foster good relations between groups of individuals through delivering on one of the high level aims of the plan which is to promote a positive image of Gaelic in the area through actions set out in the document.

4. Impact on socio-economic disadvantage

This section will assess how the policy may impact socio-economic disadvantage for individuals.

Socio-economic disadvantage is where an individual is disadvantaged by poverty, low income, homelessness or lack of or low-level educational qualifications. Socio-economic disadvantage can be experienced in both geographical communities and communities of interest i.e. a group that share a common characteristic or circumstance. In East Renfrewshire there are a number of communities, known as locality planning areas, where people are at greater risk of experiencing socio-economic disadvantage including,

- Barrhead – Dunterlie, East Arthurlie and Dovecothall
- Auchenback
- Neilston
- Thornliebank

Consider the policy itself and the way it will be implemented. How will this deliver different experiences for individuals in East Renfrewshire?

4.1 In the section below consider how the policy may impact socio-economic disadvantage through reviewing the evidence, experience and needs of this group

Characteristics/circumstances	Evidence, experience and needs- outline any data or research that shows how this group may be impacted (include sources)	Will the impact on this group be positive, neutral or negative and why?
Socio-economic	East Renfrewshire has the highest percentage of data zones of all the Scottish	Positive- The establishment of GMPE within a more deprived area creates the opportunity

	<p>Local Authorities classed as being in the 20% least deprived in Scotland. Eight of the 122 data zones (population) in East Renfrewshire are classed as being within the 20% most deprived in Scotland, this represents 7% of data zones in East Renfrewshire. They are located within Barrhead, Auchenback and Neilston. Three of the data zones are classed as being within the 10% most deprived in Scotland and one of these is classed as being within the 5% most deprived areas (Equalities Mainstreaming Report)</p>	<p>for children in this area to access GMPE more easily and also children from other areas including SIMDs could be offered transport to access this opportunity</p>
<p>4.2 Consider the impact outline in section 4.1, In what way would the policy alleviate or increase inequalities in socio-economic disadvantage?</p>		
<p>Consider common inequalities such as poorer skills and attainment; lower paid and less secure work; greater chance of being a victim of crime; less chance of being treated with dignity and respect; lower healthy life expectancy; lower feeling of control over decisions that affect you.</p>		
<p>The location of the GME provision in Thornliebank will enhance its accessibility for people experiencing multiple inequalities in Thornliebank, Barrhead and Auchenback. Transport will be provided for pupils wishing to access the provision from further afield.</p>		
<p>4.3 What opportunities are there within this policy and the way it will be implemented to promote inclusion, participation, dignity and empowerment of people experiencing socio-economic disadvantage?</p>		
<p>For example, a new health centre is being built and considers affordability of public transport options for residents.</p>		
<p>As above</p>		

4.4 Is there anything in particular that will be done to address the multiple inequalities experienced by some people in Auchinback, Barrhead, Neilston and Thornliebank?

As above

5. Impact on Children and Young People

This section must be completed if any potential impact on children and young individuals up to the age of 18 have been identified in sections 1-4.

5.1 Are there known impacts on children and young people within the subject matter of the policy?

For example, changes to out-of-school services, employment support for parents, play parks.

Yes, this plan aims to advance the learning of Gaelic in East Renfrewshire through the enhancement of Gaelic Medium Education in the area

If there is no impact on children and young people GO TO SECTION 6

5.2 In the section below outline the UN Convention on the Rights of the Child (UNCRC) General principle that is relevant, the particular groups of children that will be affected and how this will impact them		
Which General Principles of UNCRC are relevant to this policy/measure? Tick all that apply		Which particular groups of children and young people are affected by this policy? (e.g. young children, children with disabilities, children living in poverty, children in care, young people who offend).
Article 2 Non-discrimination Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).	X	Children who are Gaelic speakers or who wish to learn Gaelic
Article 3 Best interests of the child Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing - and that the institutions, services and facilities responsible for their care and protection conform with established standards.	X	All children accessing GME in East Renfrewshire

<p>Article 6 Life, survival and development Every child has a right to life and to develop to their full potential.</p>	<input type="checkbox"/>	
<p>Article 12 Respect for the views of the child Every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.</p>	<input type="checkbox"/>	
<p>Which <u>additional articles</u> are relevant to this policy/measure? List all that apply Article 30 (children from minority or indigenous groups)</p>		

In relation to the articles identified above, explain how the impact will be positive, negative or neutral.

Relevant identified Article of UNCRC	Impact category (Positive/Negative/Neutral)	Assessment of impact (including consideration of whether the policy might impact different groups of children and young people in any other way).
Article 2	Positive	Children who are Gaelic speakers and those who wish to learn Gaelic to connect with their culture and heritage will be able to access education through the medium of the language.

		Parents who are Gaelic speakers will be able to participate equally in the life and work of the school.
Article 3	Positive	The establishment of a dedicated GME provision with appropriate facilities within East Renfrewshire will protect the best interests of children accessing GME. Transport out with the authority area will no longer be necessary and transport within the area will be offered to ensure the best interests of children are protected.
Article 30 (children from minority groups)	Positive	Children from Gaelic-speaking families and those learning the language will be able to develop their skills and use the Gaelic language to participate in the culture of their community within school and as part of connecting to their culture heritage out with the school setting.

5.3 What opportunities are there within this policy to advance or undermine the rights of children and young people?

Explain how the policy can strengthen or weaken the rights of children and young individuals

The policy advances children's right to speak the language of their family and the right to access, participate in and enjoy culture, cultural heritage and cultural expressions.

5.4 What opportunities are there within this policy to protect and promote the wellbeing of children and young people?

For example promoting physical activity and healthy eating.

The policy promotes the wellbeing of children by creating stronger links between young people and their heritage and take pride in their cultural identities.

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6. Contractors and suppliers

6.1 Will the policy be carried out by contractors or suppliers?
This includes fully or partially. If yes, how will you incorporate equality expectations into the contract?
N/A

7. Outcome of assessment and action plan

You have completed sections 1-6 above and assessed the impact of the policy on individuals with protected characteristics, those experiencing socio-economic disadvantage and children and young people. The following section outlines your decision based on this assessment, mitigations and actions that can be taken to reduce any negative impacts.

7.1 Having assessed the impact of the policy under sections 3,4 and 5 select the most appropriate outcome
Which option below best describes your next steps?

Continue the policy as is

Adjust the policy

Stop the policy

7.2 Are there any significant and relevant information gaps that have not been filled during the development of this policy and how do you plan to address these during the life of the policy?

N/A

7.3 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, on groups with protected characteristics from this policy?

This policy will have a positive impact on Gaelic speakers and those who wish to engage with Gaelic including young people by increasing the learning and use of and promoting a positive image of the language.

7.4 Briefly summarise how your evidence and assessment demonstrates any potential impact, both positive and negative, on individuals and communities experiencing socio-economic disadvantage from this policy?

This policy will have a positive impact on individuals and communities experiencing socioeconomic disadvantage, specifically young people as the establishment of GMPE within a more deprived area creates the opportunity for children in this area to access GMPE more easily and through providing transport this allows fair access for all.

7.5 Briefly summarise how your evidence and assessment demonstrates any potential impacts, both positive and negative, on the rights of children and young people from this policy?

This policy will positively impact on the rights of children and young people as it enhances the opportunities for children who are Gaelic speakers to be able to access education through the medium of their home language and gives children who do not speak the language the opportunity to learn it and develop their skills.

7.6 How long will this policy be in place and when is it scheduled for review?

Is this a temporary or permanent change and are there plans to review the policy?

This plan will be in place for five years and will be up for review and renewal in 2028.

7.7 Based on the findings from this impact assessment, outline any mitigating actions that will reduce the impact caused by the policy on individuals, including children and young people. The actions should also outline the communication and implementation of the policy.

Identified adverse impact	Mitigating actions	Timeline	Responsible person
Potential barriers to accessing GME facility as there is only one in the authority located in Thornliebank	Transport can be offered to young people in the area wishing to attend the GME facility but do not live in the catchment or surrounding nearby areas	2023 onwards	Education

8. Approval

If the full impact assessment has been completed, complete below.

Name of policy:	
Date approved:	
Approved by: (Head of Service/Director level)	
Department:	

9. No assessment required

If the screening has indicated a full assessment is not required, complete below.

Policy/Decision Title	
Department/ Service	
Responsible officer for taking decision	
Rationale for decision	<p>Please record why an assessment is not required and what your justification is for making that decision. This must include confirmation that the policy has no relevance for people with protected characteristics or impact on human rights or socio-economic inequalities.</p>
<p>Declaration: I confirm the decision <u>not</u> to carry out an Equality, Fairness and Rights Impact Assessment has been authorised by:</p> <p>Name and Job Title:</p> <p>Date Authorisation given:</p>	

Version Control

Date of change	Amendment	Owner
Feb 2021	First publication	C Coburn
June 2023	Introduction and Guidance sections added Formatting changes throughout	C Coburn