

Annual Return Update

Draft Equality Impact Assessment

This draft Equality Impact Assessment (EQIA) supports and informs the public consultation on the Annual Return Update. Comments are welcome on the draft EQIA specifically 'areas of impact not fully considered.'

1. Context

The Scottish Charity Regulator (OSCR) is committed to ensuring that when considering any significant changes to process or policy that an Equality Impact Assessment (EQIA)¹ is completed.

Below is the draft EQIA for the proposed changes to the Annual Return which is the document which OSCR uses to collect information from each charity on our Register. It aims to consider and consolidate what OSCR sees as the 'Equality Impact' of the changes outlined in the full consultation publication.

2. Overview of policy area

The Annual Return update is a program of work that is seeking to introduce a number of benefits for both OSCR and the Sector. These benefits are:

- The public will have access to more information about charities, this will help them to better understand charities and how they operate
- Charities will be provided with guidance which will help them to better understand and meet their Regulatory obligations
- OSCR will be provided with information which will help them to better regulate the Sector

The proposals being consulted on that aim to deliver these benefits are:

- Additional information to be displayed on the Register
- A change to the questions which we ask in our Annual Return
- Guidance being produced in response to the questions asked in OSCR's Annual Return

This EQIA aims to consider and consolidate what we see as the 'Equality Impact' of these changes.

¹ EQIA's; these consider relevant evidence to understand the likely or actual effects of policies on practices on equality groups

The EQIA summarises the information that OSCR has gathered on each of the protected characteristics² and provides a summary of the negative and positive impacts.

3. Evidence

The key stakeholders are:

- Charities
- Umbrella bodies
- Advisors to charities including professional advisors and third sector interfaces
- Charity funders
- OSCR staff
- General public
- Other Regulators

The general impact for charities and other external stakeholders will be most noticeable in:

- The information that we collect from charities –OSCR will collect more information from the charities it regulates
- The feedback OSCR provides to charities in the form of a guidance e mail

OSCR regulates charities, but on a day-to-day bases it is individuals representing those charities that engage directly with OSCR's staff. The impact of these proposals will be on both. For charities we can do some basic analysis based on information held on the Scottish Charity Register. This includes charitable purpose, beneficiary group and name. We can use this information to identify those charities working with and/or for beneficiaries with protected characteristics.

In addition to the information held on the Scottish Charity Register we have also referred to a number of external sources to inform our EQIA.

3.1 Disability

Register Data³

22% (5,610) charities on the register have a beneficiary class disabled or ill health (This statistic has remained stable for several years)

² Protected characteristics under the 2010 Act are: Disability, gender reassignment, pregnancy and maternity, race, religion and belief, sex, sexual orientation, marriage and civil partnership and age.

³ Register data as at 15/06/2023

Scottish Household Survey 2021 (SHS) (specifically information on internet access)

The SHS provides information on the use of the internet by age and disability. For the purposes of the analysis of a disability is a long-term limiting physical or mental health condition.

There is a small difference between internet and non-internet users for those with disabilities and those without in the age groups 16–34 and 35–59. Usage is 100% and 98% respectively for those aged 16–34 with and without a disability. Usage is 99% and 95% respectively for those aged 35–59 with and without a disability. In those age 60 or over the difference is higher with 90% of non-disabled persons using the internet but only 78% of disabled persons.

Scottish Household Survey 2021 (SHS)

Disabled adults were less likely to volunteer than non-disabled adults (23% compared with 29%).

3.2 Race

Register Data

1,379 (5%) charities have a beneficiary class 'people with a particular ethnic or racial origin' and 696 (3%) have a purpose to promote race and racial harmony. (This statistic has remained stable for a number of years).

Charity Commission Research

Research commissioned by CCEW, and the Office for Civil Society found that 92% of trustees are white.

Scottish Household Survey 2021

In 2021 the main volunteering differential is between 'white – other British' and the other ethnic groups reported ('white Scottish' at 26%, 'white-other' at 28% and 'minority ethnic' at 26%)

Requests for information in other languages

OSCR monitors the number of requests for information in another language and the number has been very low. We have received no requests for information in another language within the last two years.

3.3 Religion and belief

Register data

4,763 (19%) have a purpose to advance religion (This statistic has remained stable for a number of years).

Scottish Household Survey 2021

The SHS did not ask questions in relation to religion and volunteering.

3.4 Sex

Register data

OSCR holds basic data on principal contacts. We do not hold detailed information in relation to the trustees of each charity.

Charity Commission Research

Research commissioned by CCEW, and the Office for Civil Society found that men outnumber women trustees on boards by two to one.

Scottish Household Survey 2021

The percentage of women and men who said they had volunteered in the last 12 months were very similar (28% and 27% respectively).

3.5 Sexual orientation and gender re-assignment

Register data

There is no information held by OSCR as to sexual orientation of persons involved in charities. We also do not hold this data for our beneficiary groups.

Scottish Household Survey 2021

The SHS did not ask questions in relation to sexual orientation and volunteering in the Scottish Household Survey 2021.

3.6 Marriage and civil partnership/Pregnancy and Maternity

OSCR and Scottish Government have no relevant data under this characteristic.

3.7 Age

Register data

11,442 (45%) of charities have a beneficiary class of children and young people and 5,225 (20%) older people. (These percentages have both dropped slightly in the last few years).

Charity Commission Research

Research commissioned by CCEW, and the Office for Civil Society found that the average age of trustees is 55–64 years and over half (51%) are retired.

Scottish Household Survey 2021

Younger men did not volunteer as much as other categories with only 23% of men aged 16–34 volunteering. All other categories showed a similar percentage – 27% – 29%.

Internet use reduces by age. Between 99 and 100% of people aged 16–59 use the internet. For those aged 60–74 it is 91% and for those 75 and over it is 71%.

4. Impact

4.1 Impact assessment

The impact of the proposals varies across the protected characteristics.

Protected Characteristic	Yes	No	Explanation
Age (Older people, children, and young people)	X		<p>Some charities with older charity trustees may be less familiar with the use of the internet and as such OSCR online. They may find the introduction of the additional questions to be more challenging and the feedback in e mail form.</p> <p>However, OSCR online has now been in place for a number of years and users are familiar with the system. The system was upgraded last year, and additional guidance was offered at that time. Although the questions are changing the process is not and the impact should therefore be minimal.</p>
Disability	X		<p>The additional questions may cause some problems for disabled users who are familiar with the current format.</p> <p>To mitigate this the recent upgrade was developed with the following accessibility functions:</p> <ul style="list-style-type: none"> • Conforms to WCAG 2.1 design principles • Dyslexia mode slider to change the fonts and spacing

			<ul style="list-style-type: none"> • High contrast slider – high contrast mode is popular among people with low vision or photosensitivity • Recite me available through the ‘Listen to our website’ button – gives viewed the option to have the website read out to them, change the font type and size, change the colour theme, enable rulers, view a built-in dictionary for every word, enable a text only mode, and increase magnification
Race	X		<p>There is a potential for language barriers if English is not someone’s first language.</p> <p>To mitigate this we are members of the ‘Happy to translate’ scheme which aids accessibility. We do not routinely receive requests for translation.</p>
Religion and Belief		X	We do not consider that there is any negative impact of the new proposals in relation to this group.
Pregnancy and maternity and marriage and civil partnership		X	We do not consider that there is any negative impact of the new proposals in relation to this group.
Sexual orientation and gender reassignment		X	We do not consider that there is any negative impact of the new proposals in relation to this group.
Sex/Gender		X	We do not consider that there is any negative impact of the new proposals in relation to this group.

4.2 Summary

This initial assessment indicates the main negative impacts OSCR needs to consider in terms of accessibility across the protected characteristics of race, age, and disability.

OSCR has however considered mitigating actions. Many of these steps have already been taken during the recent upgrade to OSCR online. OSCR has ensured that the digital system is accessible, and that sufficient guidance is provided to those unfamiliar with using digital systems so they will be able to use the AR

system. OSCR will update its guidance about the new questions and feedback to be provided.

Once we have all the information required and have consulted on this initial assessment, we will finalise the mitigations which will incorporate these into the final EQIA.