

Citizens Advice Scotland

Response to Equalities and Human Rights Committee

Inquiry on Impact of COVID-19 pandemic on Equalities and Human Rights

Scotland's Citizens Advice Network empowers people in every corner of Scotland through our local bureaux and national services by providing free, confidential, and independent advice. We use people's real life experiences to influence policy and drive positive change. We are on the side of people in Scotland who need help, and we change lives for the better.

Summary

Introduction

- CAS welcomes the opportunity to respond to this inquiry. We are interested in using the data we collect to help Scottish Government and other stakeholders tackle discrimination and uphold human rights.
- We have recently introduced a new advice code for logging client cases so that CAB advisors can tag client cases related to COVID-19. Our response draws on the data captured by this new code, which indexes COVID-19-tagged cases against various characteristics such as age, disability, and ethnicity. An analysis of this data itself can be found in the appendix to our response.
- This data suggests that clients seeking advice on COVID-19 related issues are no more likely than CAB clients as a whole to be from protected groups under the Equality Act 2010. In view of this, CAS considers that the Scottish Government should adopt a broad approach to tackling the human rights impact of COVID-19, considering its effects across the Scottish population as a whole.
- However, CAS would draw the Committee's attention to the proportionally large rise in requests for employment-related advice since the start of the pandemic. This increased from 4% in February to a peak of over 12% during the week beginning May 18, with figures gradually tapering off to around 11% in the week beginning 29 June. Further detailed information on CAS data reports produced during the pandemic which highlight this increase can be accessed via the following link: <https://www.cas.org.uk/publications/data-reports-during-covid-19>
- Analysis of demographic trends overall between pre-COVID advice needs and advice needs since March may also provide useful evidence on which groups may be particularly affected by the pandemic. For example, we know that advice on the private rented sector (PRS) has grown as a proportion of housing advice more than other kinds of housing advice, and that PRS tenants are more likely to be younger or part of an ethnic minority than other tenure types.
- CAS would also note that COVID has resulted in a rapid shift to online delivery of advice and services by the Citizens Advice Network in Scotland. This may have posed some difficulties for some vulnerable groups; specifically those who are digitally excluded, and/or those without access to a phone: this might include older, disabled, and socio-economically marginalised groups who may prefer to access face-to-face advice.

Recommendations

- Scottish Government should be mindful of the impact of COVID-19 on employment conditions when formulating legislative measures to deal with the crisis, including in relation to equality and

human rights. Scottish Government should ensure the enforceability of workers' rights throughout any recovery period, bearing in mind that support schemes are due to end later this year.

- In formulating measures in response to COVID-19, the Scottish Government should consider its responsibilities under the Fairer Scotland Duty in terms of reducing inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions.
- Specifically, the Scottish Government should consider a number of the recommendations included in CAS's submission to the Advisory Group on Economic Recovery ([*Putting people at the heart of economic recovery*](#) [May 2020]) such as:
 - Establishing a new deal for people in low-paid work
 - Considering whether support for business can be made contingent on adherence to fair work principles, and how it can be used to encourage recruitment and training opportunities in deprived communities.
 - Considering measures to ensure that people in Scotland have an adequate income through social security when necessary due to short or long-term economic hardship.
 - Reformulating existing support schemes such as Warm Home Discount to target people in need more effectively, and
 - Writing off old local government debts that cannot be realistically recovered, such as council tax arrears over 5 years.
- Scottish Government should provide continuing funding for advice and support services working with families and individuals at risk.
- Finally, Scottish Government should continue to invest in programmes tackling digital exclusion such as Connecting Scotland, to ensure vulnerable groups are not left without access to COVID-19 related support schemes or similar programmes. Further, CAS would emphasise the importance of channel choice rather than channel shift. While digital has many advantages it will not be the first choice communication method of many vulnerable groups and other options must remain available to meet the needs of these people.

Consultation questions

1. What groups and individuals are disproportionately impacted by COVID-19?

Our data does not suggest that COVID-19 is causing an increase in demand for CAS services from groups protected under the Equality Act 2010. Clients seeking advice in cases given the COVID-19 tag were slightly more likely than CAB clients as a whole to be of working age, male, and based in higher SIMD quintile areas. Current CAS data does not suggest changes in demand for advice in terms of ethnicity due to the impact of COVID.

Typically, the most common reasons people attend CABs are to discuss debt and benefits-related issues; but we have also seen a spike in requests for employment related advice since the pandemic began, with that ranking above debt for the last few months.

It is also worth noting that during lockdown our bureaux network issued advice over the phone and/or through email and webchat, rather than providing advice in person. CAS also set up a national advice helpline and our public advice site continues to provide up to date advice. This may have had an impact on the demographic characteristics of those seeking advice. Internet access and usage are shown to

decrease with both older age and disability¹, and digital access levels may also be impacted by social and economic deprivation. Our statistics may partly reflect this channel shift.²

2. Identify what the Scottish Government and other public bodies, including regulatory and oversight bodies, need to do to ensure that measures taken in relation to the pandemic minimise negative effects on equality and human rights.

Our data suggests that CAB clients seeking advice whose cases are tagged as related to COVID-19 are no more likely than CAB clients as a whole to be from groups protected under the Equality Act 2010. This suggests that Scottish Government and other bodies should adopt a broad approach to tackling the human rights impact of COVID-19, considering its effects across the Scottish population as a whole.

Our data also reflects the negative impact of COVID-19 on employment conditions and prospects for people in Scotland, with advice being sought on redundancy, furlough, debt and related themes. Scottish Government should be mindful of these facts when formulating measures to deal with the impact of COVID-19, including in relation to equality and human rights. We would also like to see the Scottish Government responding flexibly to the needs of different sectors, and we would urge more investment in new jobs, particularly in sectors that can have wider social benefits.

These priorities should be combined with ongoing protection for vulnerable workers. Many of these workers have been the hardest hit by the financial impact of the pandemic: unable to access the furlough scheme or statutory sick pay. Others have found themselves on the frontline, providing key services like care and food retail whilst better-paid workers have been able to work safely from home.

Finally, in formulating its COVID-19 response, the Scottish Government must consider its obligations under the Fairer Scotland Duty, which places a legal responsibility on public bodies in Scotland to consider how to reduce inequalities of outcome caused by socio-economic disadvantage when making strategic decisions.

Bearing these points in mind, we would make the following specific recommendations:

- Firstly, we want to see a new deal based on higher wages, better terms and conditions, and greater flexibility around caring responsibilities. We want to see accelerated progress towards the Real Living Wage so that people are paid enough to live on. And we want to see greater protection for people on zero hours contracts so they can access income protection if they are unable to work, or if their employer gives them no hours.
- Secondly, we need effective enforcement to protect workers' rights, notably from employers who flout the law on the minimum wage or redundancy rights. For this reason, state support for business should be made contingent on fair work principles, and used to encourage recruitment and training opportunities in deprived communities.
- Thirdly, consideration should be given to how social security powers can be used to support those at risk of short or long-term economic hardship who might fall through other state safety nets.
- Finally, other measures could be taken to minimise inequalities of outcome as per the Fairer Scotland Duty. Existing support schemes such as Warm Home Discount should be reformulated,

¹ <https://www.cas.org.uk/publications/staying-touch-exploring-post-office-broadband-and-mobile-phone-accessibility-older-and>

² For more information on how the shift to phone-based and online services has affected CAB clients, see Kyle Scott, "The Digital Divide: Disconnection in a Virtual World", *SURF Journal* (2020). See also CAS (2018), *Disconnected: Understanding Digital Inclusion and Improving Access*.

so that they target people in need more effectively, and old local government debts that cannot be realistically recovered, such as council tax arrears over 5 years old, should be written off.

- Finally, CAS would re-iterate the importance of continuing funding for advice services to work with families and individuals at risk to maximise their incomes, manage debt, and prevent financial pressures from growing.

These measures would combat socio-economic inequalities, particularly in relation to employment and assist in mitigating the negative human rights and equality impacts of COVID-19 across the board.

3. Examine measures taken by the Scottish Government and other public bodies and the impacts they may have on equality and human rights

As noted, our evidence suggests that the impact of COVID-19 on human rights should be assessed with particular regards to issues around employment and loss of employment. The financial support schemes already made available have provided a much-needed safety net for many. We also welcome the Enterprise & Skills Strategic Board in Scotland's focus on employment for young people, older, low-waged workers and women. Since long before COVID-19, we have been concerned by the prevalence of low-paid and insecure work, which makes it hard for people to budget and to balance caring responsibilities. However, we need to take action to protect existing jobs as the economy recovers. The above recommendations provide one route towards achieving this.

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Appendix: Breakdown of CAS data by Demographic Characteristics:

At the start of the Coronavirus crisis, CAS introduced a new COVID-19 code into our advice code system. When a client seeks advice on an issue related to COVID-19 this can be recorded by CABs alongside other relevant case characteristics. Inclusion of the COVID-19 advice code then allows CAS to consider the demographic profile of those clients seeking advice as a result of Coronavirus associated issues.

CAS has analysed these cases according to eight client characteristics:

- age bracket
- extent of caring responsibilities
- employment status
- ethnicity
- gender
- whether the client disclosed limiting health conditions,
- nationality and
- the client's placement within the Scottish Index of Multiple Deprivation (SIMD).

CAS then compared this data against overall client profiles. This allowed us to understand whether clients seeking advice on Coronavirus issues were more or less likely to have a particular characteristic (for example, a limiting health condition).

CAS generated comparative data for COVID-19 tagged cases in three particular advice areas: employment, benefits and debt. This allowed us to see, for example, whether the proportion of clients seeking advice on employment related to COVID-19 were higher or lower according to the characteristics outlined above than the overall profile of CAB clients. This data is referred to where it suggests notable differences between COVID-19 tagged clients and all CAB clients. The statistics referred to below cover the period from 23 March to 28 June 2020.

Findings

1. Age group

COVID-19 clients³ were slightly more likely to be of working age than the overall CAS client base. There were slight increases in the proportions of clients seeking advice in the 18-24, 25-34 and the 35-45 age brackets and there were slight decreases for all age groups above 59.

2. Caring responsibility

COVID-19 clients were slightly more likely to have caring responsibilities for non-disabled children than the overall CAS client base (25.7% compared to 23.2%). By contrast, COVID-19 clients were very slightly less likely to have responsibility for a disabled adult (4.6% compared to 5.2%) or child (3.8% to 4.3). The proportion of people with no caring responsibilities seeking COVID-19 related advice was slightly lower than the overall CAS client base.

3. Employment status

The most marked distinctions we found were between respective employment status of COVID-19 clients and the overall CAS client base, though the differences were still fairly modest. Clients seeking advice related to COVID-19 are more likely to be in employment than CAB clients overall. 29.8% of COVID-19 clients were in full-time employment (>30 hours p/w), compared to 22.5% of overall CAB clients. The

³ Defined as those clients seeking advice on a coronavirus related issue

proportion in part-time employment (<30 hours p/w) was 14.3% compared to 12.2%, and the proportion who were self-employed was 13.7% compared to 7.9%. By contrast the proportion of unemployed COVID-19 clients was 14.3% compared to 15.4% of CAS clients overall.

This suggests that more CAB clients who are in employment have been seeking advice related to issues connected to COVID-19 than those who are not in work. However, we should bear in mind that many of the CAB clients coded as in work might have been facing issues such as potential unemployment or loss of hours/pay as a result of the economic impact of COVID-19.

4. Ethnicity

There were no statistically significant differences between the ethnic backgrounds of CAB clients seeking advice related to COVID-19 and CAB clients overall.

5. Gender

COVID-19 tagged clients were very slightly more likely to be male (44.9% compared to 44.5%) and very slightly less likely to be female (55.1% to 55.5%). It should be noted that CAB clients in general are more likely to be women. These differences were slightly more pronounced when looking at clients seeking advice on benefits or debt issues. Clients seeking COVID-19 related advice on benefits were 46.4% male compared to 44.8% of CAS clients who sought benefits advice. 48.3% of clients seeking COVID-19 related debt advice were male compared to 43.3% in general.

6. Limiting health condition

For reasons of data integrity, we can only compare the numbers of clients who disclosed with a limiting health condition to the numbers who disclosed a non-limiting health condition. Clients with a disability or health condition seeking COVID-19 related advice were slightly less likely to say the condition was limiting.

7. Nationality

There were some differences between the nationality profile of COVID-19 clients compared to CAS clients overall, but they present a complex picture. Overall, clients seeking advice related to COVID are slightly more likely to identify as British (as opposed to Scottish, English, Welsh or Northern Irish) than clients overall (31.2% compared to 28.9%), and slightly less likely to identify as Scottish than clients overall (57% compared to 59.8%). The proportion of COVID clients who were non-British EU nationals (6.9%) was very slightly higher than the figure overall (6.3%). Overall, clients seeking COVID-19 related advice are less likely to identify as Scottish than CAB clients in general, and more likely to identify as British or European. However, for clients seeking COVID-19 related employment advice, there was no difference in the proportion of those who identified as Scottish. By contrast, clients seeking COVID-19 related benefits and debt advice are more likely to identify as British or EU nationals than clients in general, and less likely to identify as Scottish. There was no statistically significant difference between the (very low) proportion of COVID-related clients from outside the EU and the non-EU proportion of clients in general.

8. Scottish Index of Multiple Deprivation

Overall, the distribution of clients across SIMD quintiles shifts slightly upwards with the impact of COVID-19. Fewer COVID-19 clients were from areas in the lowest SIMD quintile (22.3%, compared to 26.2% for all clients). 17.9% of COVID-tagged clients are in SIMD quintile 4 (the second highest), compared to 6.3% of clients overall. The effect is most visible in the benefits category, with 28.1% of benefits clients overall coming from SIMD 1 areas, compared to 22.4% of COVID-19 client. However it should be noted that individual SIMD zones can contain a number of different income levels.