



CLD Standards Council Scotland

Response
to
Scottish Government Consultation

Equality and Human Rights Mainstreaming Strategy

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About Us

The CLD Standards Council Scotland is the professional body for people who work or volunteer in community learning and development (CLD) across Scotland. As member led organisation we have a growing membership of over 2950 members, an executive committee and 3 functional committees which are made up of members from across the sector in Scotland. Our approach and work plans to deliver our core responsibilities are defined by our member committees and based on feedback from the wider membership.

Our core responsibilities are:

- Deliver a professional approvals structure for qualifications, courses and development opportunities for everyone involved in CLD
- Maintain a registration system available to practitioners delivering and active in CLD practice
- Develop and establish a model of supported induction, professional learning and training opportunities

Vision

“Our vision is that the communities and people of Scotland are served by CLD practitioners that are recognised as competent, confident and committed to equality, empowerment and life-wide learning for all.”

Mission

“Our mission is to drive high standards of professional practice in the CLD sector by the approval of professional learning, the registration of practitioners and the enabling of professional development, working with our members to be a voice for the profession.”

For further information on the CLD Standards Council please visit our [website](#) and view our social media [cldstandards](#) | [Twitter](#), [Facebook](#) | [Linktree](#). If you would like to discuss this response further please email us on contact@cldstandardscouncil.org.uk

Introduction

CLD is a field of professional practice that is critical in the achievement of any policy or legislation that requires community engagement, development and learning as it supports the learning, growth and empowerment of individuals and communities, as well as supporting the delivery of other services. CLD practice includes examples such as improving opportunities for learning and development in rural areas, supporting learners of all ages to develop confidence, autonomy and skills, literacy and numeracy support through to community art projects, citizen assemblies, community participatory budgeting initiatives and supporting capacity building of community developments such as foodbanks and credit unions.

CLD enables people across Scotland to identify their own individual and collective goals, to take action to bring about change and through this to achieve these goals. Using a range of formal and informal methods of learning and social development, CLD programmes and activities are developed in dialogue with communities and participants, working particularly with those excluded from participation in the decisions and processes that shape their lives. Through working in these ways, CLD practice extends the reach of democracy and widens its scope.

CLD offers the learning and development opportunities to ensure communities are inclusive, empowered, resilient and safe, to tackling poverty by sharing opportunities, wealth and power more equally, working collaboratively to make all of Scotland's National Outcomes a reality however it is not recognised or acknowledged for its critical role across Scotland and this we would like to see changed.

“Education is a fundamental right, not a privilege: everyone must have the opportunity to succeed. Community learning and development can be a first step along that path, through supporting some of our most vulnerable people ... There is no wrong or less-esteemed path, whether that path is via college, school, work, university or a community initiative. They are all essential parts of a modern education and skills system.”

Graeme Dey MSP,

Minister for Further Education, Higher Education and Veterans,
5 December 2023. ([Learning for All for Life](#))

This response was compiled following consultation with members of the CLD Standards Council, partner organisations, staff team and stakeholders. We facilitated an online consultation events for members with the Mainstreaming Strategy Team, carried out discussions with individual members and with the CLD Standards Council staff team. We have not offered answers for all questions as set out in the Scottish Governments consultation but, as you will see below, have responded to questions we considered relevant to the CLD sector and to our membership.

Assumptions:

It is important to recognise that this CLD Standards Council response provides an insight into the views and experiences based on the those mentioned above. Data gathered provided a valuable insight into the experiences based on the views of the member participants and partner organisations. This response is not representative of the entire CLD sector across Scotland or the full CLD Standards Council membership.

Response from the CLD Standards Council to Scottish Governments consultation on Equality and Human Rights Mainstreaming Strategy

Q: Do you agree that strengthening leadership in public bodies is a key driver for mainstreaming equality and human rights?

Yes.

There was clear agreement that the delivery of equalities and human rights related culture change critically requires strong leadership at all levels, and in all public bodies, to drive the change and visibly lead on what is expected from everyone in the public sector. Leaders need to have understanding of how to identify the systemic barriers, and solutions of how to remove these barriers otherwise change will be stifled as it filters down through organisations.

Examples of the questions raised are as follows:

- How do we ensure meaningful commitment and reinforce the ambitious aims of this strategy?
- How can we be assured that leadership across public bodies will have the same understanding of equalities and human rights across Scotland?
- What measures could be put in place to ensure this “strengthening” happens across all public bodies?

Q: How can the strategy support requirements for mainstreaming, including removing systemic barriers, improve decision making, cultural change.

Explicit recognition of barriers. It is critical that time and resource should be made available for organisations to research the differing types of barriers they may have to mainstreaming at all levels; practitioner, manager, leader and systemic. This would support the development of accurate and measurable action plans, with baseline data, as well as support the understanding of the practical tools and resources required to shape and improve equalities and human rights understanding.

It was felt that it is vitally important that public authorities are required to report on what actions they are both planning to take, and what actions they have taken, to meet the aims and responsibilities as set out in this strategy proposal. Benefits could be seen by investing in the workforce, and ensuring more equality lead roles are embedded across teams to support implementation. How much have organisations representing children and young people been involved in the development so far? They also have human rights and rights under the equalities act as well as UN Convention on Rights of a Child (UNCRC). The reporting requirements and processes for this mainstreaming strategy should align with the UNCRC reporting criteria and standards to enable comparison of data, as well as making the data more understandable and accessible to all involved. It is also essential that this strategy and its supporting documents is linked to external partners and stakeholders, as well as thoroughly embedded across Scottish Government and all public bodies.

Some of the most vulnerable people that CLD support have poor levels of literacy and language is often a barrier to engagement, access rights, self-development and growth. We would ask that the use of jargon be prohibited and the promotion of plain English be encouraged in all documentation, to support the rights of all parties to both access and understand this

information. We would suggest that a key requirement would be for Scottish Government to consult with people whose rights are most at risk or whose literacy levels may be lower to help support and inform the development of guidance on documentation and reporting requirements. Practitioner and lived experience should be at the heart of all development for this strategy.

Q: Improving Capacity: What are the resource and budget needs, required to achieve this strategies ambitions?

It is felt that the implementation of this strategy will require a significant amount of resources and finance. The cost-of-living crisis has increased demand for the essential services that CLD offer across Scotland to Young people, Adults and Family Learners, ESOL learners, Refugee and Asylum Seekers as well as community development groups. The CLD sector, just like the individuals and communities they are supporting, are struggling with rising costs, budget cuts and staffing shortages. It is vital that this is recognised and funding, along with recognition of the CLD sector as a key stakeholder in supporting the implementation of this strategy, specifically regarding lived experienced and community participation, is not only sourced and legislatively ringfenced to support the CLD sector with achieving the aims of this mainstreaming strategy. The following queries were also discussed under this section:

- Are the Local Authority equality officers involved in this strategy development?
- Will there be dedicated funding and investment for training and resources to support the change needed?

Whilst this proposal mentions strengthening of leadership, upskilling and support to understand the mainstreaming strategy will be essential for all employees and volunteers involved in the delivery of public services. Many will be on minimal hours contracts and not have the ability or capacity to attend the required training, or the organisations will not have the funding to support additional hours required for training and upskilling.

While it is recognised that many other public sector staff contribute to the type of engagement required to support understanding of the strategy, individuals rights and have an advocacy/advisory role supporting public service. CLD practitioners both paid and voluntary, are well placed in terms of their practice, skills and relationships with communities. It is essential to acknowledge that CLD practitioners already play a crucial role in supporting community groups and vulnerable people to gain and access the information, skills and learning needed to respond to emerging and often challenging need. This was highly evident during the [Covid 19 Pandemic, Community, COVID-19, challenge and change – Policy Scotland, Engage, Educate, Connect, Empower: CLD, Resilience and Recovery - July 2020](#) . CLD practitioners offer professional, high quality learning, guidance and skills needed for not only the development, progress and governance of community organisations, but also in supporting the operational delivery of community-based services, for communities, groups and individuals, empowering them to have a greater stake in the communities in which they live and work, and in turn, Scotland’s wellbeing economy which includes just transition to Net Zero. CLD practitioners are qualified in and implementing all of the tools and techniques of good community education and development work. It is essential we all understand each other’s strengths and collaborate. We strongly believe that the CLD sector and CLD as a practice needs to be given a legitimate place and role in this process. It is critical therefore that the statutory [CLD regulations](#) are reviewed and we see a systemic change in [CLD legislation and policy](#) that give CLD (Adult Education, Community

Development and Youth Work) protection, safeguarding the current workforce and funding to support the regrowth after 20 years of disinvestment in this sector.

Q: Capability and Culture Change: What needs to happen to drive the change needed?

This strategy should apply to all Scottish bodies delivering public services. These can be charitable, private or public. If an organisation is delivering a public service it should be accountable as the service they are delivering may impact on equalities and on individual's human rights. It is important that we build a culture across Scotland where it is seen as every organisations responsibility to have a human rights based approach mainstreamed in everything they do. It is also critical that a clear message and direction is delivered regarding how this is everyone's responsibility and not down to a few equalities officers. The detail around public bodies and responsibilities can seem ambiguous in places and therefore we feel this needs strengthened, as well as offer more clarity about the inclusion of voluntary organisations and the third sector delivering public services. We would ask that the strategy development team looks at this in further detail and offers greater clarity and consistency from here on, to support the required culture change from the ground up as well as top down. This fits with the CLD ethics and values regarding empowerment, self-determination and collaboration. All organisations who provide a public service should show that they are taking targeted and tangible actions to mainstreaming equalities and human rights, as well as keep progressing on how they realise people's rights.

For true cultural transformation, the strategy and its implementation needs to set out clearly that it is depoliticised (in terms of party politics) so that it is not dependant on the views of the incumbent government of moving it forward. How much is the development of this mainstreaming strategy linking to research and models which help us understand organisational cultural and how to foster meaningful change, such as [The Cultural Cycle](#) and [Seven Principles for Intentional Culture Change](#).

Q: Do you agree that utilising evidence and experience, such as a lived experience panel, is a key driver for mainstreaming equality and human rights?

Yes, however it is critical that utilising evidence and experience is meaningfully done, with clear respectful communication processes which include consistent reviewing and feedback, as well as wider participation and consultation with those who have lived and worked experience.

Participation is a fundamental equalities and human rights principle and therefore intrinsic to this strategy development, therefore it is crucial that key stakeholders who can support meaningful participation, such as CLD, are recognised and stated. CLD is based on providing learning and development opportunities that are accessible and responsive to individual and community priorities, listening to learners and communities voices and being led by them. From our professional experience, participation is all about people's voices, those experiences being heard and being taken into account, their voices being taken seriously and then transparency and follow through as their voices are seen to inform and change what happens. Participation and voice needs to be shown as valued and transparent throughout this Bill and should be clearly stipulated in the purpose clause, in the monitoring and reporting processes and in the evaluation and review stages. The Joseph Rowntree Foundation stipulated in a [paper on poverty](#), inequality and human rights that *"Communities affected by poverty that have asserted their right to*

participate in decision-making have generated practical and cost effective policy solutions” evidencing the integrable part those voices played in not only making decisions but shaping sustainable solutions.

Significant and inclusive participation requires a fully funded and committed resource to enable capacity building and support. Much of the CLD workforce across Scotland are trained in co-production, community engagement and development and would be well placed as a sector to support this work if appropriately resourced. Currently CLD workforce both in local authority and within the third sector are constantly facing funding cuts. To safeguard a skilled, professional workforce, as well as ensure inclusive and meaningful engagement and participation across Scotland’s commitment to CLD and its workforce development is required. Communities and individuals across Scotland can face significant barriers to participation. With access to public services becoming more “online by default”, lack of digital skills and infrastructure in our communities means the potential of exclusion and inequality for those most vulnerable or marginalised to engage, participate or access services increases. There has never been a more critical need for investment into the CLD workforce to drive as clearly specified in the recent independent review of CLD, to ensure the aims of this strategy and others are achieved .

We would like to highlight the importance of equality impact assessments at all stages of this consultation, and the roll out of the strategy, action plan and toolkit. At a [Policy Champions Network](#), developed as part of the Volunteering Action Plan, it was previously suggested that “ *A good first step would be to require and monitor that public bodies, duty bearers, or any organisation providing public services, complete and submit Equality Impact Assessments which identify potential barriers for the inclusion of particular groups. This would allow greater understanding of the existing structural barriers for a more coordinated response.*” This should not only be deemed as a statutory requirement for public bodies but should be promoted as best practice for all to embed an inclusive provision.

Q: Action Plan and Toolkit: What needs to be considered and included to drive the change needed?

We would expect to see a suite of professional learning and guidance resources for all involved in the rolling out and implementation of this mainstreaming strategy, and recommend the development of such resources that can be tailored for differing needs of not only frontline public sector staff but the communities and individuals who will be most impacted by this change in approach to public sector services. We would also expect that investment and resources be allocated to support the continual monitoring and reviewing of the toolkit and training resources, to keep it up to date as well as evolving with the changing needs. Attention should also be given to accessibility issues, language levels, requirements for multi lingual resources and translation services, and the cost implications of these aspects.

Consideration should be given to a “Training the Trainer” approach as well as development of training for “Tool Kit Champions” across all organisations. These training resources and the mainstreaming toolkit should be housed on a platform that is accessible to all public sector workers and volunteers. We strongly recommend that a working group from all public sector organisations across Scotland be brought together to take this forward to ensure the range of needs and capabilities across these organisations are considered.

The opportunity to have accessible info-graphics and visuals as a PDF or PPT would also be a useful tool throughout the action plan, toolkit, and guidance. They are a good introduction to engagement and support those initial conversations with communities and groups when asking for support or gathering lived experience data and views. Having more visual mapping of equalities, rights and aims of this strategy can help bring the topic alive and is proven to be good for stimulating discussion and for understanding.

Questions were raised around the action plan itself, and if would there be clear links to local planning and communities outcomes, as well as national and regional strategies and policies that impact equalities and human rights in our communities.

Q: What impact will this strategy have on CLD and its workforce, as well as the individuals and communities CLD workers support?

As public bodies will have a duty to comply it is felt that significant consideration is required regarding the development of the public sector workforce's skills and knowledge on all aspects of the equalities and human rights. Particular attention should be given around developing awareness of those rights which may not be obvious to organisations without their prior knowledge or experience, such as violence and abuse, racism, mental health, poverty.

The same should also be considered regarding members of the public. What resources and processes are being put in place to support individuals and communities learning and understanding of their rights? What resources and processes will be made available to support both fiscal and functional empowerment?

Whilst we support the development of this mainstreaming strategy and its aims, the CLD workforce and the delivery of public service across Scotland relies on a significant number of volunteers. A CLD workforce survey in 2018 ([Working With Scotland's Communities 2018](#)) suggesting that there were over 254,600 volunteers undertaking CLD work. Main streaming equalities and human rights into public services will lend support to the benefits of activities such as volunteering that advocate dignity, equality and rights, therefore raising the profile of CLD and volunteers, as well as assisting with prioritisation of funding and further investment required as outlined in Scottish Governments [Volunteering Action Plan](#). Volunteer Scotland's [Volunteer Charter](#) should also be recognised as supporting the foundations of a good volunteering experience and can offer this strategy team, and public bodies, insight into the standards volunteers should expect.

Q: What else would we like to highlight regarding this consultation?

We ask for a clear and agreed definitions of terminology throughout this strategy to assist in clarity of understanding public sector organisations and their employees, as well as the communities and individuals they serve. We do believe that this is essential and at the centre of all planning, design and implementation of this strategy and accompanying action plans

Equality and Human Rights are fundamental to the [competences](#), [values](#) and [ethics](#) of the CLD profession and practice. The values and principles of CLD are central in ensuring both the social justice outcomes of CLD and the skills needed and the processes chosen. These are:

- Self-determination
- Inclusion

- Empowerment
- Working collaboratively
- Promotion of learning as a lifelong activity

CLD through local authorities and third sector organisations funded by Scottish Government, supports the most vulnerable individuals and communities to learn, grow and develop through a range of engagement activities, this also includes assisting those far from the workplace to access volunteering as a way to increase self-esteem, diminish social isolation and raise self-worth whilst learning new skills to take with them into the workplace when ready. Volunteering within communities supports Scotland's [national performance framework and outcomes](#). A recent review of community development during the pandemic was carried out by HM Inspectors ([Responsive, supportive and resilient communities](#)) and shows the range of work and support offered through the CLD profession and its approaches, including training and supporting volunteers in supporting communities to deal with the cost-of-living crisis or support the increasing numbers of refugees arriving in the country. Most recently the HM Inspectors have published a full evaluation of CLD from progress reports across all 32 local authorities [Evaluation of community learning and development in Scotland | National thematic inspections | HM Chief Inspector reports and guidance | Inspection and review | Education Scotland](#)

In the publication [Evaluation of the New Scots Refugee Integration Strategy 2018-2022](#) it specifies that

“Factors which contributed to refugees and people seeking asylum understanding and exercising their rights, responsibilities and entitlements:

- *Receiving support from local authorities, third sector support organisations and community groups in a wide range of areas, including: the asylum process; housing; welfare; employment; and education.”*

This includes paid and volunteer CLD workers supporting personal development and language development through ESOL and adult learning, from a social practice model ensuring that individuals learning needs were taken into account to enable integration into the community. We feel strongly that to ensure meaningful engagement from those most vulnerable, the language used within this strategy, action plan, toolkit, and its guidance, is accessible and understandable to all who may be impacted by it and may want to use it. The [Adult learning strategy](#) was published by Scottish Government in 2022 and informs us that over 324,000 adults in Scotland have low or no qualifications, and the [National Literacy Trust](#) report that 1 in 4 adults in Scotland experience challenges due to their lack of literacy skills and Scotland has the highest percentage across all of the four nations. We suggest that the draft strategy and any guidance should be taken to focus groups of public sector workers and community members across the protected characteristics who are perhaps not normally involved in these stages of legislation and strategy development to check its accessibility and levels of language. This would enable Scottish Government to see how well it is understood and that there is no misinterpretation of words, phrases or intent. We all have a duty of responsibility to ensure we get it right in terms of public sector workers and communities involvement within these process, therefore we need to make sure that language being used is understandable and that people are not being overwhelmed by jargon and therefore disengaging with discussions or unable to access information on their rights.

We recommend that consideration be given the proposed Human Rights (Scotland) Bill when developing this strategy. The Human Rights (Scotland) Bill incorporates four international human

rights treaties directly into Scots law. When this Bill was being consulted members fully supported it, welcoming suggested aims which covered economic, social and cultural rights ([ICESCR](#)), rights of persons with disabilities ([CRPD](#)), the elimination of racial discrimination and rights of black and ethnic minority people ([CERD](#)), and women's rights ([CEDAW](#)). We would have also like to have seen specific rights for [older people](#), people with care experience building on [The Promise](#), and [LGBTQ+](#) people detailed and incorporated.

CLD community development work in practice supports communities and individuals to use their own assets and environments to improve their own quality of life as well as others, based on the fundamental values of human rights, social justice, equality, diversity and respect. It aligns with Scottish Government approaches such as [community wealth building](#), [community empowerment](#) and [climate change](#), which the CLD workforce are at the heart of supporting individuals to understand these approaches as well as learn and develop as community groups to support local and national economic growth. It was suggested that the development of mainstreaming aims considers this area of work through local authorities and third sector organisations. Examples of organisations and projects both in the third sector and within local authority are [SCCAN](#), [CFine](#), [SURE](#), [Tiree Trust](#), [Dundee CLD Report](#).

The [Human Rights Act 1998](#) duties and rights should be fully incorporated into the development and application of this mainstreaming strategy, therefore we would ask that there is alignment to The Human Rights Act 1998 duties and rights throughout any guidance or how to guides. There is a critical need for concise and consistent training developed and made available to public bodies, as well as training and awareness raising within communities? We would like to see some assurance and a commitment from Scottish Government and local authorities that the significant investment and resources required by the CLD sector, to support and deliver awareness and training in communities will be made available to all involved.

Conclusion

We fully welcome the development of this mainstreaming strategy, and the action plan, toolkit and the guidance alongside it, and feel strongly that the CLD sector as a profession should be reflected throughout as a one of the key stakeholders.

Finally, we feel the information offered in this strategy consultation does not go far enough in its detail regarding the full physical and psychological resource requirements needed to realise the aspirations of this mainstreaming strategy in improving lives across Scotland's communities. Equalities and human rights are all about people being treated with dignity, respect, and fairness. Human rights include freedoms and rights that Scottish Government needs to respect and protect, and basic essentials that we all need to live a decent life. If done correctly people should be able to name and claim all their human rights, and because of this we feel that the information being presented needs to go much further in offering detailed guidance to the importance of valuing rights bearers voice throughout all processes, as well as fully acknowledging the funding, resource and commitment required from individuals, communities and supporting professions, such as CLD. We strongly feel that CLD as profession and a domain of practice, as well as a sector, should be recognised and included throughout all processes.