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# Delivering

for Scotland's Gypsies/Travellers



SCOTTISH EXECUTIVE

# Delivering

for Scotland's Gypsies/Travellers

AN UPDATED RESPONSE TO THE EQUAL  
OPPORTUNITIES COMMITTEE INQUIRY INTO  
GYPSY TRAVELLERS AND PUBLIC SERVICES 2001

June 2004

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## Foreword

Since its establishment in 1999, the Scottish Executive has been working in partnership with providers of public services in Scotland. Through consultation and cooperation with Gypsies/Travellers themselves, we are continually seeking to improve the provision of the services and support that Gypsies/Travellers in Scotland need and are entitled to. I believe this report, which updates our initial response to the Equal Opportunities Committee, bears witness to the progress that has been made. Much still needs to be done to improve the lives and experiences of Gypsies/Travellers, but I am confident that those who provide public services in Scotland are committed to meeting that challenge.

A handwritten signature in cursive script that reads "Margaret Curran".

**Margaret Curran MSP**  
Minister for Communities

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INTRODUCTION

## ▶ Introduction

The Equal Opportunities Committee put forward 37 recommendations in its 'Inquiry into Gypsy Travellers and Public Sector Policies' in 2001. The Scottish Executive's initial response to the recommendations was published in October 2001.

We have recently completed a fresh audit of activity under each of the recommendations. It is clear that a number of important steps have been taken by departments and agencies towards tackling issues of direct relevance to Gypsies/Travellers. Progress has been made, but the work is by no means over. The Executive is committed to an ongoing process of consultation and policy development with Gypsies/Travellers and those who provide them with public services.

This report provides an update of the work which has been undertaken by public service providers in Scotland for Gypsies/Travellers since 2001 and points the way to future developments in this area.

## ▶ Terminology

Throughout this report, the Executive employs the phrase 'Gypsy/Traveller' to encompass all Travelling communities in Scotland (with the exception of New Age Travellers and Occupational Travellers). However, this term has a meaning distinct from the term 'Gypsy Traveller' which refers to a specific self-identifying ethnic group. In a survey undertaken in 1999, 15% identified themselves as Gypsy Traveller, 49% as Scottish Traveller, 8% as Romany, 5% as Irish Traveller and 23% as other.

When referring to all Travellers in Scotland, including Occupational Travellers and New Age Travellers, the Executive employs the phrase 'Gypsies and Travellers'.

It should be emphasised that the issue of terminology is a sensitive area and that the Executive will continue to listen and respond to any concerns voiced on this subject.

In referring to the population outwith that of Gypsy and Traveller communities, this report adopts the accepted terminology of 'the settled community'.

### ▶ Recommendation 1

**'Capitalisation of the term Gypsy Traveller, or Gypsy and Traveller where used separately, should be adopted in all official minutes and reports by the Scottish Parliament the Scottish Executive, local authorities and other public bodies.'**

#### **Response:**

The terms 'Gypsy/Traveller' and 'Gypsies/Travellers' are now standard classifications in Scottish Executive communications. The Scottish Executive respects the individual self-asserted identity of the Gypsy/Traveller community.

## **Race Equality**

### ▶ Recommendation 2

**'All legislation and policies should be framed on the understanding that Gypsy Travellers have distinct ethnic characteristics and should therefore be regarded as an ethnic group, until such time as a court decision is made on recognition as a racial group under the Race Relations Act 1976.'**

#### **Response:**

Working within the broad definition of equal opportunities in the Scotland Act 1998, and as part of its mainstreaming equality approach, the Scottish Executive recognises Gypsy Travellers as a distinct ethnic group and has confirmed as much in a number of published documents including its Race Equality Scheme.

### ▶ Recommendation 3

**'Gypsy Travellers should be clearly identified as a specific community of interest in the implementation of the Equality Strategy, following which, it is recommended that:**

- **there must be consultation with, and participation in, decision making by Gypsy Travellers, through the representation on working groups within the local authority area on public service provision and policy and their inclusion as service users in the monitoring and evaluation of policy and practice, and this must be monitored;**
- **to support consultation and partnership working, Gypsy Travellers and their representative organisations should be included in the provision of funding and other resources for community development and capacity building;**
- **the employment of Gypsy Travellers in public services should be promoted and encouraged through education, training and recruitment strategies.'**

#### **Response:**

The Executive's Equality Strategy and Race Equality Scheme both identify Gypsies/Travellers as a minority group facing prejudice and discrimination. For all practical purposes, Gypsies/Travellers count alongside all Scotland's minority ethnic communities in the Executive's promotion of race equality.

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## RECOMMENDATIONS

In 2002 the Scottish Executive published 'Good Practice Guidance – Consultation with Equalities Groups'. This document provides basic guidance on how to ensure that 'equalities groups' – including Gypsies/Travellers – are not excluded from public consultation exercises.

Steps are being taken across the Executive to ensure that the needs of Gypsies/Travellers are taken into account when developing policies.

## Housing

### Recommendation 4

**'New provision or site improvement programmes should be developed in consultation with Gypsy Travellers and representative organisations, on issues of location, design, facilities and services:**

- **the design of amenity chalets should conform to both the Below Tolerable Standards and Standard Amenity for housing, such as space standards, heating, energy, insulation, kitchen and wc facilities;**
- **the provision of community services and facilities on sites, such as community meeting places, play facilities, barrier-free and adapted amenity chalets, should be included;**
- **that once the Housing (Scotland) Act has passed onto the statute books the Scottish Ministers should further explore (for the purpose of future amendments to housing legislation) the issues of accrual of discount for settled housing, consultation with relevant associations and tenants rights to succession, etc.'**

### Response:

Communities Scotland Regulation and Inspection Division are now, for the first time, regulating the provision of sites and services by local authorities.

The Performance Standard requires local authorities to 'plan and provide or arrange good quality serviced stopping places for Gypsies/Travellers... let pitches in a way that ensures fair and open access for all... take Gypsies/Travellers' views into account in delivering... services and [be] responsive to their needs'.

### Recommendation 5

**'Communities Scotland will have responsibility for the regulation of local authority services for Gypsy Travellers. This role should include:**

- **local needs assessment for Gypsy Traveller accommodation, including residential and short-stay sites, as a component of the local housing strategy;**
- **the provision of development funding for improvements to current sites and new site provision, where needs are identified;**
- **guidance on improving site management standards, policy and procedures which are appropriate to Gypsy Travellers' lifestyles and needs, to include consideration of socially affordable rents, equitable fuel costs and reasonable pitch retainer fees.'**



**Response:**

Local authorities are expected to assess the accommodation needs of Gypsies/Travellers in their Local Housing Strategies. These were due to be submitted to Communities Scotland, by the end of April 2004, for assessment.

Local authorities are currently expected to use their own resources to fund new site provision and upgrading.

In 2002, Communities Scotland carried out a thematic regulation study of the services offered to Gypsies/Travellers that enabled them to decide how to assess councils' performance against the Performance Standard and to gather some baseline information about current council provision. Thematic regulation studies complement their inspection process by focusing in detail on specific areas of provision, with the aims of raising awareness and understanding of key issues, highlighting good practice and influencing improvements in service delivery.

The study was overseen by an advisory group that included individuals from the Scottish Gypsy/Traveller Association (SGTA) and the Gypsy/Traveller Community Development Project (G/TCDP).

In addition, two of Communities Scotland's regional offices (Aberdeen and Dundee) have been working with local authorities in their area to carry out studies into housing needs and aspirations of the Gypsies/Travellers in the area.

**Recommendation 6**

**'The definition of "home" for the purposes of future amendments to housing legislation should be reconsidered to include sites, which are homes to Gypsy Travellers. Such recognition and redefinition would facilitate:**

- **a review of alternative management and ownership arrangements for local authority sites, which should include options for community ownership, tenant management co-operatives and registered social landlords (RSLs);**
- **the development of a model tenancy agreement for Gypsy Traveller sites managed by local authorities and RSLs.'**

**Response:**

A model tenancy agreement has already been developed by the former Advisory Committee on Scotland's Travelling People. This is contained in the 'Guidance for Site Management', which was issued in January 1998 and is still valid. Local authorities are encouraged to use this agreement.

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## RECOMMENDATIONS

### Recommendation 7

**'Local authorities and Executive to review role of site managers.'**

#### Response:

'Guidance for Site Management' contains guidance on job profiles and training. Alongside this, the Chartered Institute of Housing in Scotland and the Travellers Site Managers Association of Scotland jointly run training courses. The Executive is meeting on a regular basis with TSMAS to discuss Gypsy/Traveller needs and provision on site.

### Recommendation 8

**'Appointment by local authorities of a designated Gypsy Traveller Liaison Officer (GTLO) (a role separate from but requiring close working with site managers) is recommended. The role of the GTLO would develop information and support services for Gypsy Travellers in the local area and appropriate mechanisms for consultation.'**

#### Response:

The Scottish Executive believes that all local authorities should give serious consideration to appointing a Gypsy/Traveller liaison officer. In addition, the Scottish Executive is currently developing proposals with Gypsy/Traveller groups for raising public awareness of their needs and concerns.

### Recommendation 9

**'Private sites should be subject to the regulations and standards applicable to local authority sites. The monitoring and enforcement of these standards by local authorities should include consultation with, and participation by, site users.'**

#### Response:

Wherever possible, local authorities should encourage private site owners to run their sites in accordance with Communities Scotland's Performance Standards. Communities Scotland as a regulator does not have a remit beyond inspecting local authority sites against performance standards.

### Recommendation 10

**'Local planning authorities should be required to identify the need for Gypsy Traveller site provision and land for sites in statutory [land use] plans, using Community Planning frameworks, which include Gypsy Travellers.'**

#### Response:

Scottish Planning Policy 3 states that the needs of Gypsies/Travellers for appropriate accommodation should be set out in local housing strategies and that planning authorities should continue to play a role, through development plans, by identifying suitable locations where need is demonstrated. See recommendation 5.

### **Recommendation 11**

**'National good practice guidance for local authorities and police forces on the management of unauthorised camping should be developed, based on a clearly articulated national policy taking into account the Scottish legislative context and in consultation with all stakeholders. Guidance should include:**

- **the provision of facilities by local authorities, such as water, toilets, skips and rubbish collection, where requested by the Gypsy Travellers using the camp;**
- **the need for strategic planning by the local authority, including local protocols and agreements with other agencies and Gypsy Travellers to develop consistent approaches to the management of unauthorised camping.'**

#### **Response:**

The Scottish Executive issued a consultation paper in February 2004 on Guidelines for Managing Unauthorised Camping by Gypsies/Travellers. The consultation was widely circulated among Gypsy/Traveller groups, local authorities, police and other relevant agencies.

### **Recommendation 12**

**'Gypsy Travellers should be identified as an ethnic group in policies on racial harassment and be included in related training and awareness raising for all those involved in the provision of housing.'**

#### **Response:**

Scottish public bodies now have a statutory duty to promote race equality. Key public bodies, including the Scottish Executive, Communities Scotland, local authorities and the police, were also required to publish a Race Equality Scheme. Schemes must set out, among other things, their arrangements for training staff in connection with the new statutory duties imposed on them by virtue of the Race Relations Act as amended. The Scottish Executive's Equality Strategy and its Race Equality Scheme both identify Gypsies/Travellers as a minority group facing prejudice and discrimination. The Race Equality Scheme commits the Scottish Executive to eliminating racial discrimination by ensuring that measures are in place to make staff fully aware of the needs of all minority ethnic communities, including those of Gypsies/Travellers, when assessing existing policies and developing new ones. The Executive expects all public bodies to include Gypsies/Travellers in their Race Equality Schemes and race equality work.

### **Recommendation 13**

**'The impact of allocation policies on the needs and lifestyle of Gypsy Travellers applying for social housing should be reviewed. Specific issues relating to Gypsies and Travellers should be included in local homelessness strategies.'**

#### **Response:**

During inspections, Communities Scotland will examine the outcomes of local authorities allocation of pitches on their sites to assess whether they are providing fair and equal access, addressing identified needs, and not unlawfully evicting Gypsies/Travellers.

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Scottish Executive guidance requires local authorities to demonstrate in their homelessness strategies how they will comply with their equal opportunities duty under section 106 of the Housing (Scotland) Act 2001 as regards matters included in the strategy. An appraisal panel, led by the Executive, is currently assessing all local authority homelessness strategies to support local authorities in complying with guidance.

More specifically, in response to one of the recommendations of the Homelessness Task Force, the Executive has commissioned research to provide evidence on the experience of homelessness amongst Scotland's black and minority ethnic communities. The research aims to identify whether additional actions are necessary to prevent and respond to homelessness amongst black and minority ethnic groups, including Gypsies/Travellers. The study is expected to complete shortly. The results will support local authorities in the further development of responses within homelessness strategies to the needs of BME groups, including Gypsies/Travellers, and may inform the ongoing revision and development of the Code of Guidance on Homelessness.

### Recommendation 14

**'The aims and objectives of the single regulatory framework for Communities Scotland should include working with:**

- **the local authority to assess the needs of Gypsy Travellers, including those who wish to travel, for accommodation (sites and housing) for the local housing strategy;**
- **social housing providers to develop innovative models of housing provision (such as group or extended family housing).**
- **This should be undertaken in consultation with Gypsy Travellers, with reference to innovative developments elsewhere in the UK and Europe.'**

#### **Response:**

See Recommendation 4.

### Education

#### Recommendation 15

**'Existing funding arrangements should be reviewed to support school and pre-school by providing additional resources where Gypsies/Travellers access school education such as:**

- **education support for teachers;**
- **additional grant when Gypsy Traveller children enter school part-way through the school year;**
- **provision of transport between sites and schools through the use of school buses and schemes such as voluntary drivers;**
- **assistance with school uniforms.'**

**Response:**

From 1 April 2002, the 'Standards in Scotland's Schools etc Act 2000' placed a duty on local authorities to secure pre-school education for all 'eligible' children as defined in the 'Provision of School Education for Children under School Age (Prescribed Children) (Scotland) Order 2002' to cover all 3 and 4 year olds resident in an authority's area. This includes Gypsy/Traveller children.

The Scottish Executive also funds STEP (the Scottish Traveller Education Programme) which works with local and central government, and other relevant bodies to promote proactive practices to accommodate Gypsy/Traveller diversity within a presumption of mainstream provision.

The Scottish Executive commissioned STEP and LTS (Learning and Teaching Scotland) to produce: 'Inclusive Educational Approaches for Gypsies and Travellers within the context of interrupted learning: Guidance for Local Authorities and Schools'. The guidance was launched in January 2003 and addresses several points brought up in the Equal Opportunities Committee Report. The Guidance aims to help education authorities and schools understand the needs of Gypsies/Travellers and thereby develop inclusive education approaches to meet them. It also includes examples of good practice.

The guidance also looks at issues of funding and transport.

**Additional funding and resources –**

Local authorities are responsible for the allocation of school budgets and have considerable flexibility in how those budgets are set. This allows for account to be taken of the needs of Gypsy/Traveller children in the light of local circumstances. It is for the local authorities to consider specific issues over the provision of school transport for pupils, including Gypsy/Traveller children. Education legislation ensures that education authorities have a duty to provide assistance when a pupil cannot receive education because of inadequate clothing and footwear. The criteria for assistance and the individual level of clothing and footwear grants are entirely at the discretion of the education authorities.

**Recommendation 16**

**'Whilst access to the core curriculum and the development of literacy and numeracy skills remains essential at the secondary level, more flexible provision in relation to vocational and work based learning should be considered for older children and young people, in consultation with Gypsy Travellers.'**

**Response:**

Ministers have set five National Priorities for education. National priority 3 focuses on promoting equality and helping every pupil benefit from education, and national priority 5 focuses on equipping pupils with the foundation skills, attitudes, and expectation necessary to prosper in a changing society, and to encourage creativity and ambition.

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## RECOMMENDATIONS

In March 2003 the Executive launched its response to 'Determined to Succeed' the Report on the review of Enterprise in Education. The Executive supports recommendation 2 of the Report, which recommends that *'All pupils over the age of 14 must have an opportunity for work-based vocational learning linked to accompanying relevant qualifications'*. There is existing good practice in schools some of whom link with their local FE colleges to provide vocational opportunities as well as linking with local employers. Local authorities will have to explain how they will deliver on the provision of such experiences in their Enterprise in Education plans. In devising their Enterprise in Education plans, local authorities should ensure they take account of any relevant legislation concerning discrimination and inclusion issues.

Careers Scotland, through the Inclusiveness Projects, works with a range of young people who face barriers in accessing further education, training or employment. To date a small number of young Gypsies/Travellers have been supported through the projects.

The Scottish Executive believes that flexibility in the delivery of the school curriculum is essential if teachers, schools and education authorities are to meet the needs and wishes of all pupils.

Ministers are keen to encourage education authorities to review their current approaches to flexibility and innovation in the curriculum.

### Recommendation 17

**'Alternative approaches to school education should be explored, where needs are identified in consultation with Gypsy Travellers, including:**

- **the development of innovative projects in delivering education services, such as distance learning and the use of computers in conjunction with outreach support, and dissemination of good practice;**
- **encouraging education authorities to support families providing home education;**
- **community rooms or portacabins provided on sites to facilitate education provision, outreach support and to build links between schools and Gypsy Traveller families;**
- **pre-school provision should be promoted and on-site alternatives to school-based services provided;**
- **the development of special education services, which are relevant and sensitive to the lifestyle and cultural values of Gypsy Travellers;**
- **research should be undertaken on how schools engage with parents and welcome them into schools (for example through direct teacher contact, through Parent Teacher Associations and Governing Boards) and how the confidence of Gypsy Travellers in their use of education services could be developed through targeted projects.'**

**Response:**

The 'Inclusive Educational Approaches for Gypsies and Travellers' guidance issued to local authorities and schools looked at the need to explore alternative approaches to school education, such as innovative projects in the delivery of education, e.g. Distance Learning and ICT.

The Scottish Executive Education Department provided funding for the Scottish Traveller Education Programme (STEP) to carry out research on enrolment and attendance patterns in schools from all Gypsy/Traveller sites, including private sites. The research will look at:

- how schools engage with Gypsy/Traveller parents and how they welcome them into the school community, e.g. school boards and Parent Teacher Associations;
- the work carried out by Education Authorities and schools to develop confidence in Gypsies/Travellers in using education services;
- the extent to which Gypsies/Travellers are included in the strategic planning of educational services;
- the development of special educational services, which are sensitive to the mobility of Gypsies/Travellers by schools and Education authorities.

The research was published in March 2004, and is available to view on the STEP website:

<http://www.scottishtravellered.net/research.html>

In relation to distance learning, the Scottish Executive is providing funding to Learning and Teaching Scotland for the Open, Distance and Flexible Learning project (ODFL). This initiative is developing interactive learning resources for the five core skills of communication, numeracy, problem solving, IT and working with others within the National Qualifications framework. The resources will be available in spring 2004.

The SchoolsoutGlasgow.Net pilot project, which ran from April 2002 until December 2003, focused on aiming to provide online education for interrupted learners, i.e. children, between the ages of 14 and 16, who are not able to attend school for a variety of different reasons. A contract for the evaluation of SchoolsoutGlasgow.Net is now in place. The aim of the research is to assess the effectiveness of online learning for vulnerable and interrupted learners. This will be of benefit to Gypsy/Traveller children who experience interrupted learning. The evaluation of the SchoolsoutGlasgow.Net pilot project will help to inform a rollout to other local authorities in Scotland.

Education authorities are not legally obliged to provide any support or resources for families who choose to educate their children at home (though of course they may choose to do so). However, where an authority has agreed that there are circumstances in which a particular child's needs cannot be catered for in a school, they should make provision for that child's education in other ways. This may be to the benefit of those Gypsy/Traveller children whose lifestyle renders traditional schooling impractical for all or part of the year.

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## RECOMMENDATIONS

The Scottish Executive is currently finalising guidance for local authorities on the circumstances in which parents may choose to educate their children at home. The guidance aims to encourage parents and education authorities to build relationships of trust and mutual respect that function in the best educational interests of the child. STEP was involved in the first consultation and will be included in any further consultations and correspondence.

In January 2003 the Scottish Executive published 'Moving Forward! Additional Support for Learning' a new framework for supporting learning. This was accompanied by consultation on a draft Bill. The Bill was introduced to Parliament on 28 October. The proposed legislation, moves away from the traditional special education needs terminology to the more inclusive and encompassing additional support needs. This means that wherever a child faces a barrier to learning, for whatever reason, their needs must be identified and support provided to help them to reach their full educational potential. Under the new framework, the needs of children whose lifestyle is nomadic including Gypsy/Traveller children should therefore be better recognised and the additional support they may require will be provided to progress their learning.

Two schools which work with Gypsy/Traveller children are taking part in the Assessment Development Programme. Their remit is to look at the additional support needs of these pupils especially in relation to the development of personal learning plans and reporting to parents.

The response to Recommendation 18 also applies to Recommendation 17.

### Recommendation 18

**'Research and good practice guidance on how schools engage with parents and welcome them into schools, for example through teacher contact, PTAs and Governing Boards.'**

#### **Response:**

Scottish Executive Ministers' commitments relating to both the National Debate on Education and the agreement 'A Partnership for a Better Scotland' (PABS) focus on strengthening parents' links with, and access to, schools. These commitments will be met by:

- improving the quality of information that parents receive about their children's learning and progress
- improving their role in the decision-making process
- improving their involvement in schools
- reviewing and reforming the roles of the school boards and parent teacher associations (PTAs).

The outcomes sought from these commitments include the following:

- more information will be available to parents about their children's education, including up-to-date information through the Parentzone website and open access to their children's educational records. This will apply to all parents, including Gypsies/Travellers



- through identification and sharing good practice, parents will be more aware of how they can be better involved as partners in their children's education. As a result, parents will be able to get involved, as they wish, in their children's learning; supporting the school; and in representing other parent's views.

## Research and consultation

Recommendation 15 of the Better Behaviour – Better Learning report asks schools to review the mechanisms and approaches they use to communicate with parents and involve them in schools and their children's education. An Executive working group has been established to explore the extent of implementation of this recommendation, and to develop an insight into the most successful approaches for schools when developing relationships with specific groups of parents, for whom more traditional approaches have been less successful. Gypsy/Traveller needs and views will be explored – in consultation with the Scottish Traveller Education Programme – along with the views of others, by this working group which will report in June 2004.

In all of the above we are particularly keen to identify good practice in that education authorities and schools, reaching parents who previously may have felt themselves to be excluded, include Gypsy/Traveller parents.

### Recommendation 19

**'The role of the education system in promoting good relations between the Gypsy Traveller and settled communities should be acknowledged and supported by education authorities by the Scottish Executive Education Department. Guidelines on initial teacher training and Continuing Professional Development should clearly identify Gypsy Travellers as an ethnic group in relation to training on equality, social justice and anti-discriminatory practice.'**

#### **Response:**

From autumn 2001 the Guidelines for Initial Teacher Education Courses in Scotland were replaced by the 'Standard for Initial Teacher Education in Scotland: Benchmark Information' (October 2000). There are two features which relate to inclusion. The first is under benchmark 1.2.1 which states that Initial Teacher Education courses will enable students to 'acquire a broad and critical understanding of the principal features of the education system, educational policy and practice'. The second feature states that students should 'demonstrate an understanding of the principles of equality of opportunity and social justice and of the need for anti-discriminatory practices'.

Benchmark 2.1.3 mimics competence 2.1.9 of the current guidelines as it states that new teachers should be able to 'demonstrate the ability to respond appropriately to gender, social, cultural, linguistic and religious differences among pupils'.

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Benchmark 3.3 requires that Initial Teacher Education courses should enable students to 'value and demonstrate a commitment to social justice and inclusion'. The related feature says that students should be able to 'demonstrate that they value and promote fairness and justice and adopt anti-discriminatory practices in respect of gender, sexual orientation, race, disability, age, religion and culture'.

These benchmarks set the Standard that informs approaches to working with and educating Gypsies/Travellers.

The 'Standard for Full Registration', which is the standard against which probationary teachers are measured for full registration with the General Teaching Council Scotland, contains complementary competencies to the standard for Initial Teacher Education. In particular, in terms of a teacher's professional knowledge and understanding, the Standard requires that registered teachers understand and can apply, in an educational context, the principles of equality of opportunity and social justice and of the need for anti-discriminatory practice. Further, in relation to a teacher's professional skills and abilities, the Standard requires that registered teachers possess sensitive and positive attitudes towards differences among pupils (e.g. gender, social, cultural, religious, linguistic). And, in relation to a teacher's professional values and personal commitment, the Standard requires that registered teachers show in their day-to-day practice a commitment to social justice and inclusion (including valuing and promoting fairness and justice and adopting anti-discriminatory practices in all regards, including gender, sexual orientation, race, disability, age, religion, culture and socio-economic background). This applies equally to Gypsies/Travellers.

The new standards for Initial Teacher Education and for Full Registration do not contain specific reference to Gypsies/Travellers, or indeed to any particular social, ethnic or cultural group. It is felt that any attempt to specifically list those groups to whom anti-discriminatory practice must be extended would, by implication, denote that groups who are not mentioned are not subject to the same protection and that this would be counter-productive.

The Continuing Professional Development framework for all teachers has been developed by the Scottish Executive Education Department in partnership with all relevant stakeholders, and from August 2003 it is a contractual requirement for all teachers to undertake 35 hours per year of CPD activity. Following the achievement of the Standard for Full Registration, teachers are expected to maintain that Standard through their professional commitment to Continuing Professional Development. Teachers must agree their own development needs with their line managers and agree what activity they will undertake in order to meet these needs through the Professional Review and Development process. There are no national guidelines stating what CPD should be undertaken by teachers at any given time, and the guidance documents which include CPD for Educational Leaders and the Standard for Chartered Teacher do not contain specific references to any social, ethnic or cultural group, including Gypsies/ Travellers. However, there are CPD opportunities available covering the inter/multicultural dimension which teachers can access throughout their careers. These opportunities can be found on the National Register of CPD website, at [www.nationalregisterscotland.org.uk](http://www.nationalregisterscotland.org.uk), and includes listings of all registered providers of CPD.

## ▶ Recommendation 20

**'Monitoring of anti-bullying strategies, use of the anti-bullying network and Childline, should include Gypsy Travellers as a separate ethnic group. Practical guidance on good practice and training to support schools and teachers should include specific reference to issues relating to Gypsy Traveller children.'**

The Guidance issued to local authorities and schools addresses the issues of racism and bullying.

The Scottish Executive funds the Anti-Bullying Network and the Scottish Schools Ethos Network.

The Anti-Bullying Network has been working with Scottish Traveller Education Programme on the production of information on bullying for Gypsy/Traveller parents and children.

## ▶ Recommendation 21

**'Evaluation of pilot projects and examples of good practice relating to adult learning, access to vocational qualifications through community and further education should be disseminated and further developed in consultation with Gypsy Travellers.'**

Careers Scotland, the UK's first national all-age careers guidance service was established on 1 April 2002. It has a key role, previously undertaken by some 80 organisations in the information, advice and guidance field to provide a unified service with National Service and quality standards, offering clients a one-stop approach to careers support services.

The aim of the all-age projects is to improve existing careers guidance provision by building and strengthening the delivery of adult learning, information and guidance. Careers guidance will now be a comprehensive service available to all throughout their lives regardless of their personal circumstances.

The Scottish Executive in its guidance to the Directors of Careers Scotland indicated that they should offer its services in a manner consistent with the Executive's Equality Strategy. Such services should be available regardless of sex or marital status, race, disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

The second part of the All-Age Guidance Client survey (a follow up of 559 original respondents) includes a question on ethnicity which will identify participants of Gypsy/Traveller origins. The research advisory group will include Gypsies/Travellers in invitations to participate in the subsequent tranche of face to face interviews. Careers Scotland are happy to disseminate any good practice that emerges from the all age guidance and inclusiveness projects.

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## RECOMMENDATIONS

Following the publication of 'Determined to Succeed' the Executive has accepted recommendation 12 'The Scottish Executive must commission research into part-time work undertaken by young people while still at school'. The specification for this research includes a requirement for the appreciation of diversity within the criteria for the evaluation of proposals. The successful research team are currently examining ways that the research can include 'hard to reach groups' including Gypsy/Traveller children.

In Further Education, our policy on widening access aims to ensure that everyone has the chance to learn regardless of their background or personal circumstances. Over the last three years there has been significant investment for widening access purposes. In that time there have been over 99,000 new enrolments at further education colleges – a 25% increase – with the proportion of students coming from the most deprived areas increasing steadily. Specific statistics for Gypsies/Travellers are not available at present.

Letters of guidance to the Scottish Further Education Funding Council have reminded them of the need to continue to ensure that colleges fully adopt the principle of inclusiveness and address the needs of groups such as Gypsies/Travellers.

### Recommendation 22

**'Gypsy Travellers should be included as a separate ethnic group in all systematic ethnic monitoring of education services to measure progress in meeting targets, for the educational inclusion of Gypsy Traveller children and improvements in their educational attainment. Performance indicators for school inspections should include specific reference to Gypsy Travellers. The recent HM Inspectorate of Education (HMIE) report "Alternatives to School Exclusion" could have provided an opportunity to identify such an approach.'**

#### **Response:**

Pupil ethnicity data collected through the Schools Census include the following categories – 'Gypsy Traveller', 'Occupational Traveller' and 'Other Traveller'.

HMIE stresses the importance of respect, fairness and equality within all forms of educational establishments. This also includes ensuring that anti-bullying and child protection measures are in place. These principles apply to the education of Gypsy/Traveller children and young persons and emphasise equal opportunities. Inspections take into account the quality of support for learning and any appropriate support required to meet the educational needs of all pupils.

Quality indicators for self-evaluation by schools and for school inspections have been revised. 'How good is our school?' 2002 edition, emphasises more explicitly the concepts of equality and fairness. There are specific references to Gypsy/Traveller children in the footnotes to the quality indicators on 'Meeting pupils' needs' 'Pastoral care' and 'Equality and fairness'. The recent HMIE report, 'Count us in', states that an inclusive approach to education involves '*.... actively promoting understanding and a positive appreciation of the diversity of individuals and groups within society*'.

 **Recommendation 23**

**'Further work is required on developing the information base on Gypsy Traveller children throughout the education system, clearly identified as an ethnic group, so that their needs can be included in strategic planning and policy development.'**

**Response:**

The 'Review of Assessment for Pre-school and 5-14' and subsequent consultation recognised the importance of accurate records for individual pupils, including Gypsy and Traveller children to record progress and achievements, to identify next steps in learning and to prompt support and intervention where necessary.

Respondents to consultation supported the idea of a single, coherent system of assessment to include record-keeping. This would be likely to include a single, running record starting in pre-school or at entry to school, with background information and contributions from teachers, parents and other agencies. Personal Learning Plans are being developed as part of the 'Assessment is for Learning' programme and issues for children with Additional Support Needs, including Gypsy/Traveller children, are being explored in the context of one of the programme's projects. Further consultation about refocusing assessment, testing and reporting 3-14 to support learning and individual pupils, including pupils with additional support needs, is under way and will be reported in the spring of 2004.

As schools move increasingly to electronic record-keeping, the exchange of data with education authorities and the Scottish Executive through the ScotXed system should become routine. Data held at pupil level by authorities include details such as attendance and attainment as well as items about the pupils' background – for example gender, address, ethnic background and religion. It will in future be possible to analyse attainment and other data and compare and 'benchmark' the performance of particular groups, however they are defined.

 **Recommendation 24**

**'Consideration should be given by local authorities to ring-fencing or top-slicing resources for specific initiatives and interventions for education provision for Gypsy Travellers, for alternatives to school education and to encourage and support school attendance.'**

**Response:**

Comments on funding under Recommendation 15 apply here.

# Delivering

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## RECOMMENDATIONS

### ▶ Recommendation 25

**'Gypsy Travellers should be included in the strategic planning of education services and the impact of their participation monitored to ensure that their views are considered and listened to.'**

#### **Response:**

'Inclusive Educational Approaches for Gypsies and Travellers' Guidance for local authorities and schools addresses this area.

All parents are encouraged to become involved in the strategic planning, mainly through School Boards. The research being carried out by STEP, mentioned under recommendation 17 also applies here.

## **Health**

### ▶ Recommendation 26

**'Research should be commissioned by the Scottish Executive to establish the health and health needs of Gypsy Travellers in Scotland, including specific research on health issues arising from environmental factors relating to accommodation.'**

#### **Response:**

Meeting the specific needs of Gypsies/Travellers is being actively considered by those in the Health Service charged with identifying the needs of Scotland's minority ethnic communities according to the requirements of its Race Equality Scheme.

### ▶ Recommendation 27

**'Guidelines on initial training and Continuing Professional Development of NHS staff, including GPs and hospital doctors, should clearly identify Gypsy Travellers as an ethnic group in relation to training on equality, social justice and anti-discriminatory practice and promote awareness of the sensitivity to the needs of Gypsy Travellers in relation to health care.'**

#### **Response:**

A visit to a Gypsy/Traveller-led project in Dublin took place in August 2002. Five Scottish Gypsy/Traveller women shared experiences with community representatives in Ireland and identified good practice models which could be easily transferred. The Report of the visit to Pavee Point Dublin emphasises that training/workshops should involve Gypsies/Travellers as facilitators; appropriate health materials will be developed which address the need for accurate and accessible information.

The National Resource Centre for Ethnic Minority Health, in collaboration with the Scottish Executive Health Department, are integrating and facilitating the need for NHS Boards and Trusts to be more sensitive to the needs and discrimination faced by Gypsies/Travellers.

The Race Equality Scheme places a statutory requirement to provide equality and awareness-raising training on ethnic minority issues, including Gypsies/Travellers. Analysis of Boards' Race Equality Schemes and 'Fair For All' Action Plans suggests that the issue is now being addressed but needs to be more focused with specific plans for overcoming the barriers highlighted by this marginalised group.

### **Recommendation 28**

**'New services and improvements to existing services should be developed in consultation and monitored, to establish whether targets are being met and that the services of Gypsy Travellers' needs.'**

#### **Response:**

A national Gypsy/Traveller Roundtable Network was set up by the National Resource Centre for Ethnic Minorities Health in January 2003 to identify priorities and develop an action plan around the four key areas:

- Extension of good practice models nationally, e.g. hand-held records
- Community-led national health needs assessment
- Production of health promotion materials in accessible formats
- Employment of a community researcher to develop the action-based research

### **Recommendation 29**

**'Funding systems should be reviewed, clearly explained and transparent, to ensure that there are no disincentives for GP practices in registering Gypsy Travellers. Resources for the maintenance or mainstreaming of pilot projects that develop good practice in the provision of health care for Gypsy Travellers should be made available to Health Boards.'**

#### **Response:**

See Recommendation 26.

### **Recommendation 30**

**'Resources for the maintenance or mainstreaming of pilot projects that develop good practice in the provision of health care for Gypsy Travellers should be made available to Health Boards, with particular reference to the use of patient hand-held records.'**

#### **Response:**

Funding of £48,000 has been made available to the National Resource Centre for Ethnic Minority Health for a community based needs assessment undertaken in collaboration with Gypsies/Travellers themselves. This includes the development of family health records and the promotion of health materials. A draft Hand Held Record has been developed and a questionnaire drafted to engage Gypsies/Travellers in wider consultation. Comments will be collated and a revised version ready to present to a third roundtable event in June 2004. A health linkworker has also been recruited to lead on the proposed community-led health needs assessment; it is anticipated that the person will be in post by the end of June 2004.

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## RECOMMENDATIONS

### ▶ Recommendation 31

**'Gypsy Travellers should be targeted for specific health promotion campaigns, such as immunisation, accident prevention, child development, and women's health issues, including screening.'**

#### **Response:**

See response to Recommendation 30. The National Resource Centre for Ethnic Minorities Health has also taken on two secondees from a Health Board and a Trust to lead the work through the formation of a multi-agency steering group – it will have strong ownership and direction from Gypsy/Traveller representatives themselves, including representatives from Save the Children; the Aberdeen Gypsy/Travellers Project; the Highland Gypsy/Travellers; Heatherywood Project; Glasgow Travellers' Community Development Project and the Scottish Gypsy/Travellers Association. The group hopes to produce some health promotion materials, e.g. videos and posters.

### **Social Welfare**

### ▶ Recommendation 32

**'Where a Gypsy Traveller Liaison Officer is appointed their specific responsibilities should include consultation with Gypsy Travellers, promoting appropriate service provision, providing information and support to Gypsy Travellers in assessing public service provision, providing information and support to Gypsy Travellers in accessing public services.'**

#### **Response:**

Local authorities already have a statutory obligation to promote social welfare by making available advice, guidance and assistance on such a scale as may be appropriate for their area and to provide or arrange services in line with local need. It would therefore be a matter for the individual local authority to determine how best to make available advice, guidance and assistance to the Gypsy/Traveller population in its area. However, where a local authority decides to appoint a Traveller Liaison Officer to help achieve this, the Executive fully agrees that the matters set out in the Committee's recommendation above should form part of the Liaison Officer's responsibilities. All public bodies, including local authorities are committed by their Race Equality Schemes to ensuring that their staff are made fully aware of the needs of all ethnic minority communities, including those of Gypsies/Travellers, when assessing existing policies and developing new ones.



### **Recommendation 33**

**'Gypsy Travellers should be included in the strategic planning of personal social services, including community care, and the impact of their participation monitored to ensure that their views are considered and listened to:**

- **locally-based initiatives and services should be reviewed to ensure that criteria do not disadvantage mobile groups such as Gypsy Travellers;**
- **consideration should be given to developing the confidence of Gypsy Travellers in their use of social services through targeted projects.'**

#### **Response:**

Local authorities have a duty placed upon them under the Local Government in Scotland Act (2003) to 'initiate, facilitate and maintain the Community Planning process' in doing so they are expected, with their partner organisations, to consult widely and inclusively when preparing community plans, and community care plans, for their areas. Partner organisations who also have a duty to participate in the Community Planning process are Health Boards, Police, Fire Services and the Strathclyde Passenger Transport Authority. The Statutory Guidance for Community Planning outlines how local authorities and their partners are to mainstream Equal Opportunities into the Community Planning process.

Community Planning, because of its legislative underpinning, has the potential for making a significant contribution to the mainstreaming of equality in service design and delivery. The legislation requires that 'Scottish Ministers, local authorities and all other bodies participating in Community Planning should do so in a manner which encourages equal opportunities and, in particular, the observance of the equal opportunities requirements'. The guidance also strongly advises all other bodies and agencies participating in Community Planning to pay regard to these requirements and to mainstream equalities objectives into their involvement with Community Planning.

See also the response to Recommendation 32.

## **Justice**

### **Recommendation 34**

**'Racial diversity strategies and training materials for the police and other relevant bodies in the criminal justice system should include reference to Gypsy Travellers as a separate ethnic group.'**

#### **Response:**

We expect all local authorities, with local police, to prepare local strategies on working with Gypsies/Travellers.

HM Inspectorate of Constabulary (HMIC) Report 'Pride and Prejudice: A Review of Police Race Relations in Scotland' (published 27 June 2003) confirms that 'All of Scotland's police forces have updated and revised their policies towards Gypsies and Travellers, with stronger links and specified police liaison officers being established and deployed... Gypsy/Traveller issues are a key element in the diversity training which all police staff are receiving.'

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## RECOMMENDATIONS

Responsibility for developing any training strategy for the police rests with the Scottish Police Service and Scottish Police College. See also the response to Recommendation 32.

### Recommendation 35

**'Schemes should be developed to promote the confidence of Gypsy Travellers in the police, whether contact related to experiences as victims of crime, racial harassment or as suspected offenders:**

**one of the recommendations of the final report for consultation of the Promoting Social Inclusion (PSI) Working Group on the needs of Travellers in Northern Ireland (2001) was a pilot scheme for a legal rights worker to be appointed. The role would be to liaise with police, support workers and Travellers, raise awareness of legal rights on behalf of Travellers. A key feature of the proposed scheme was that a trainee position should be funded for a Traveller to gain appropriate skills and knowledge by shadowing the legal rights worker. A similar project should be considered for Scotland.'**

#### Response:

HMIC Report 'Pride and Prejudice' states that the Association of Chief Police Officers in Scotland has recently amended its policy and decision making infrastructure to create a permanent standing committee on race and community relations under the leadership of a chief constable. This is significant in that it will ensure the subjects within its portfolio, including Gypsies/Travellers receive sustained and high level attention.

To improve access to legal information and advice throughout Scotland for those who need it, including Gypsies/Travellers, we aim to develop a network of quality assured providers of legal information, advice and representation encompassing both solicitors and non-legally qualified advice workers. Pilot activity is currently underway in the form of four Pilot partnerships of funders and providers of services, and new pilot In Court Advice projects will be established in Aberdeen, Dundee, Airdrie, Hamilton, and Kilmarnock.

### Recommendation 36

**'Policing practices and arrangements should continue to be reviewed and specific monitoring of relations between police and Gypsy Travellers established. Guidance should be provided for use by the police in working with Gypsy Travellers, as:**

- **victims of crime, including racist incidents and harassment;**
- **when evicting Gypsy Travellers from unauthorised camps;**
- **to ensure that Gypsy Traveller communities are not over-policed.'**

#### Response:

It is for individual police forces to determine what their priorities and obligations are for their communities, but each of Scotland's eight police forces is committed to fair and equitable policing.

The HMIC report 'Pride and Prejudice' notes that 'For all forces in the Scottish Police Service, the development of policy and practice towards Gypsies and Travellers has shifted from a historical perspective of public order to the more modern and less proscriptive dimension of race relations. This reflects the growing acknowledgement of travellers as a minority group that are widely subject to prejudice and discrimination within society.'

### **Recommendation 37**

**'To support the recognition of Gypsy Travellers as a distinct ethnic group and commitment by public services to develop policy and service provision based on such an approach:**

- **to encourage local authorities and other public bodies to use the opportunity of the Race Relations (Amendment) Act 2000 to promote equality of opportunity for Gypsy Travellers in Scotland;**
- **in consultation with Gypsy Travellers, to develop school based campaigns to raise awareness and resources for use by schools, community and youth groups;**
- **to include Gypsy Travellers in any anti-racism campaigns aimed at challenging racial discrimination and promoting good relations in Scotland, as a specific ethnic group and to include them at an early stage in consultations on the campaign.'**

#### **Response:**

- The Local Government in Scotland Act (2003) under s1(4)(d) places a duty on local authorities and other public bodies to have regard to equal opportunities and to observe equal opportunity requirements in objectives and plans at corporate and service level.
- See Recommendations 15 to 19.
- We are actively working with Gypsy/Traveller groups in developing opportunities for raising wider public awareness of their needs and concerns. In addition, a number of groups and individuals are being consulted about the next phase of the Executive's 'One Scotland. Many Cultures' campaign, including Gypsies/Travellers.

# Delivering

for Scotland's Gypsies/Travellers

RECOMMENDATIONS

## Annex: Further Information

### Websites:

One Scotland. Many Cultures

[www.onescotland.com](http://www.onescotland.com)

Scottish Executive

[www.scotland.gov.uk](http://www.scotland.gov.uk)

Scottish Executive's Mainstreaming Equalities Website

[www.scotland.gov.uk/mainstreamingequality](http://www.scotland.gov.uk/mainstreamingequality)

Commission for Racial Equality

[www.cre.gov.uk](http://www.cre.gov.uk)

Communities Scotland

[www.communitiesscotland.gov.uk](http://www.communitiesscotland.gov.uk)

Scottish Traveller Education Project

[www.education.ed.ac.uk/step](http://www.education.ed.ac.uk/step)

Centre for Education for Racial Equality in Scotland

[www.mhie.ac.uk](http://www.mhie.ac.uk)

The National Resource Centre for Ethnic Minority Health

[www.phis.org.uk/projects/default.asp?p=fd](http://www.phis.org.uk/projects/default.asp?p=fd)

Convention of Scottish Local Authorities

[www.cosla.gov.uk](http://www.cosla.gov.uk)

Scottish Police Service

[www.scottish.police.uk](http://www.scottish.police.uk)

### Reports/Documents

The Scottish Executive's Equality Strategy – Working Together for Equality

<http://www.scotland.gov.uk/library3/social/wtem-00.asp>

Race Relations Act 1976 (Statutory Duties) (Scotland) Order 2002

<http://www.scotland-legislation.hmso.gov.uk/legislation/scotland/ssi2002/20020062.htm>

Race Relations (Amendment) Act 2000

<http://www.homeoffice.gov.uk/raceact/welcome.htm>

CRE's draft Code of Practice and supporting guidance for devolved bodies

[http://www.cre.gov.uk/duty/scotland/duty\\_scotland.html](http://www.cre.gov.uk/duty/scotland/duty_scotland.html)

CRE's Gypsies and Travellers Strategy

<http://www.cre.gov.uk>

Good Practice Guidance – Consultation With Equalities Groups

<http://www.scotland.gov.uk/library5/social/gpgc-00asp>

HM Inspectorate of Constabulary – Without Prejudice? A Thematic Inspection of Police Race Relations in Scotland

<http://www.scotland.gov.uk/hmic/docs/wpr-00.asp>

Fair for All

<http://www.scotland.gov.uk/library5/justice/feffap-00.asp>

Fair Enough? Fair for All Progress Report

<http://www.scotland.gov.uk/library5/justice/feffar-00.asp>

Improving the Health of the Scottish Minority Ethnic Communities – Annual Report of the National Resource Centre for Ethnic Minority Health 2002-2003

<http://www.scotland.gov.uk/library5/health/ihsmm-00.asp>

The Twice-Yearly Count Of Travellers In Scotland:

The First Three Years

<http://www.scotland.gov.uk/cru/kd01/blue/tytcs-00.asp>

Moving On: A Survey of Travellers' Views

<http://www.scotland.gov.uk/cru/kd01/blue/moving-00.htm>

Gypsy Travellers: A Policing Strategy – A Research Report undertaken by Inspector Ian Taggart, Grampian Police

<http://www.homeoffice.gov.uk/docs/gypsytravellers.pdf>

'**Delivering for Scotland's Gypsies/Travellers**' is also available to view at

<http://www.scotland.gov.uk/library5/justice/dfs-gt-00.asp>. Community language versions or alternative formats can be requested from:

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