



Evaluation of Scotland's National Action Plan for Human Rights (SNAP) 2013-2017

Dr. Jo Ferrie
University of Glasgow
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1. Introduction

Yeah, I think it's an important document but it's only as good as what it leads to on the ground.

Drafting Group, year 1 Interview

SNAP is Scotland's National Action Plan for Human Rights, a plan to help realise rights for all living in Scotland. Launched on 10 December 2013, the first four year phase ran until 2017. This evaluation, commissioned in early March 2017, builds on 74 interviews evaluating SNAP that were conducted in 2014-2018, as well as documentary analysis. See Appendix 1 for the evaluation remit, Appendix 2 for a list of participants and Appendix 3 for a list of documents.

SNAP was built on the evidence base established by the Scottish Human Rights Commission (henceforth known as the Commission) in 'Getting it Right?' (GiR), and formed new collaborative action groups made up of influencers and stakeholders from the Commission, Scottish Government, civil society, public authorities and private actors. The groups aimed to deliver actions that would improve knowledge of, understanding of, and use of human rights in Scotland by duty bearers and rights holders.

International guidance on best practice for National Action Plans¹ states that they should be:

- **Evidence-based** (research and participation informs priorities for action).
- **Inclusive** (all stakeholders should be involved in shaping commitments).
- **Committed to** (with high-level and long-term support across the political spectrum and across all bodies with responsibility).
- **Action-orientated** (for each priority issue specific and achievable commitments for change are made).
- **Realistic** (resourced, taking account of pragmatic constraints and integrated in to the work of public authorities)
- **Measurable** (each commitment is linked to indicators which can be used to track progress. These should be linked to time-bound benchmarks);
- **Supported** (with capacity building to put commitments into practice).

¹ The UN Office of the High Commissioner for Human Rights produced global guidance to help define what a National Action Plan is: see <https://www.ohchr.org/Documents/Publications/training10en.pdf> This was further supported by the Commonwealth Secretariat in 2007 and by the Council of Europe Commissioner for Human Rights in 2009: see <https://rm.coe.int/16806da952>

- **Monitored** (progress should be subject to regular independent review).

The structure of this evaluation uses these criteria as headings to evaluate SNAP.

2. Structure of SNAP

This section outlines the different bodies involved in developing and then implementing SNAP.

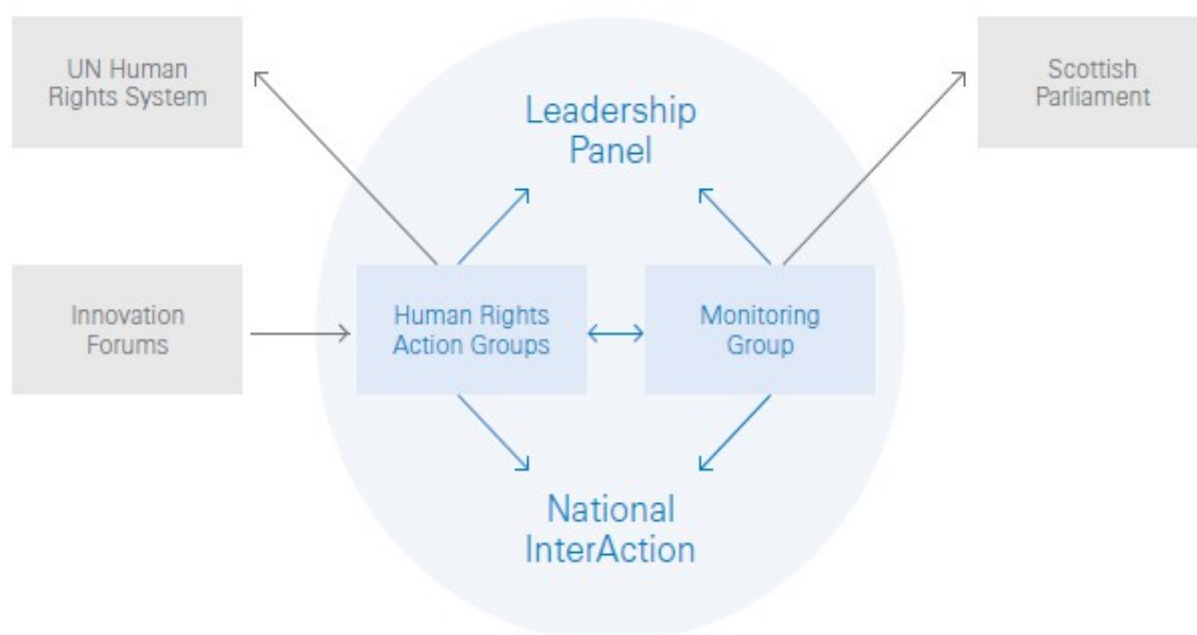
To develop SNAP during 2012 and 2013, two groups worked closely with the Commission: a Drafting Group (DG) and an Advisory Council (AC). Both groups were comprised of representatives from civil society, public bodies and the Scottish Government. See Appendix 5 for membership.

Following the launch of SNAP, the structure evolved. A Leadership Panel (LP), a Monitoring Progress Group (MPG) and five Action Groups (AG) were established. See Appendix 6 for membership. The Leadership Panel oversaw the delivery of SNAP, receiving reports from the Action Groups, reviewing progress and advising on strategic direction. Each Action Group took responsibility for devising and delivering activities in their area of focus. The Monitoring Progress Group developed the monitoring framework for SNAP.

The five Action Groups covered five thematic areas:

- Better Culture
- Better Lives – Adequate Standard of Living
- Better Lives – Health & Social Care
- Better Lives – Justice & Safety
- Better World

Figure 1 SNAP Structure



The groups were thematically clustered according to the evidence base established by 'Getting it Right?'. The membership of each Action Group was drawn from civil society, public bodies and Scottish Government and private actors where appropriate. Membership size varied, with an average of around 15.

SNAP ran from 2013 to 2017 but was envisaged as the first phase of a longer-term plan, with goals to 2030². Phase 1 was exploratory in nature both in terms of process and activities. The Commission was heavily involved in the development of SNAP, acting as a secretariat for the process. As SNAP moved into implementation, the Commission planned to take less of a leadership role, allowing the AGs to develop according to their members' own priorities. The Commission planned to retain involvement by being members or leaders of the Action Groups, and by chairing the Leadership Panel. In practice, this proved challenging. See section 5 for discussion of this point.

² The [2030 Agenda for Sustainable Development](#) was adopted by all United Nations Member States in 2015. The 17 Sustainable Development Goals (SDGs) and its 169 targets are an urgent call for action by all countries. At their heart, they seek to realise everyone's human rights. [The Mérida Declaration](#) sought for NHRIs to play a key role in monitoring the SDGs and therefore the decision was taken by the MPG to ensure that the SDG agenda was at the heart of SNAP's long term goals.

3. Was SNAP Evidence-Based?

International best practice states that National Action Plans should be built on a thorough and comprehensive evidence base, and that the evidence base itself should be informed by the participation of rights holders.

This section evaluates the extent to which SNAP met this standard.

Getting it Right? (GiR) pre-dated SNAP and was designed to form an evidence base to inform all of the Commission's work. It was developed by collating and analysing evidence from social and legal literatures, United Nations Treaty Body recommendations and participatory data from people with lived experience of human rights issues in Scotland.³ GiR was published in 2012 and continues to be updated and used as a data source to inform the Commission's overall programme of work. It covered eight thematic areas:

- Dignity and Care
- Health
- Where We Live
- Education and Work
- Private and Family Life
- Safety and Security
- Living in Detention
- Access to Justice and the Right to Effective Remedy

GiR is the most comprehensive piece of research on human rights and lived experience in Scotland. Nonetheless it was recognised that it was not possible to produce a complete picture of all human rights issues and lived experiences. Therefore, following the publication of GiR a participation process took place to enable people and organisations to comment on its findings. This involved a series of meetings with civil society and other stakeholders, and an online consultation exercise. 440 individuals took part in the process, generating 144 responses in total, some of which were significant in size and detail. The outcomes of this process were captured and used by the Drafting Group to inform the development of SNAP. The evidence gathered through GiR and the participation process highlighted the gap between legislation and policy, and people's lived experience of rights.

³ <http://www.snaprights.info/how-snap-was-developed/getting-it-right>

The Commission had worked closely with rights holders, as people with lived experience of human rights and barriers. The response from rights holders was universally positive, valuing the Commission for travelling to meetings, providing unsolicited feedback and updates, and ensuring that no economic barriers to participation existed. This inclusive approach strengthened the evidence base.

The way in which GiR was validated through the participation process therefore strengthened the evidence base and demonstrated international best practice.

Rights holders recognised the value of GiR as an evidence base and an effective foundation to SNAP. This was reflected in the early evaluation interviews.

I did feel there was an opportunity to raise [our] issues in that [participation process] meeting ... we were being listened to.

Year 1 interview – Participation Process contributor

GiR also supported organisational stakeholders in SNAP to better understand a human rights approach.

Maybe some of the learning disability and more disability layered organisations would have had a stronger rights basis, but a lot of organisations around health and social care, it was a much newer agenda to them and in fact we struggled a bit to be honest ... because people would kind of think, well that's quite interesting but I'm not sure if it's relevant to me. And then [members] ... had gone away really engaged in [human rights], and enthused and wanting to know more.

Year 1 interviews - SNAP Drafting Group

The Commission is a public body and is independent from Scottish duty bearers such as the Scottish Government, and GiR is a strong example of data gathering to uncover 'need', free from a requirement to 'damage control' or consider 'questions of politics'. This was evidenced by the horizontal approach taken to analysing the different forms of data. Each piece of data was treated as of equal value, rather than imposing a hierarchy on the data which could distort the 'value' of the interview/focus group data for Scottish people with lived experience.

Somebody saying it in their own words is much more, it resonates a lot more than hundreds of pages of research. One comment that I will always remember, about what difference does it make to take a rights based assessment of care to a needs based assessment and somebody said, well their experience was that when local authorities were assessing what you need in terms of a care package, they're thinking about survival, if they were assessing what was required to realise your rights, they'd be thinking about their right to education or employment ... And that was really striking I would place at least as much weight on all the stuff that came out of the participation groups as I would on the research.

Year 1 interviews – member of the Commission and Drafting Group

The lived experience of rights holders stands out from the text and offers micro-examples of issues that allow the reader to understand the barriers faced. Participants came from both very rural and urban settings and from heard, and less well-heard communities such as the Scottish Gypsy/Traveller Community. Their evaluation of the evidence base is strong:

I was happy that [the Commission] was responsive to what we actually said, and I think it was a better consultation process than most ... a couple of people phoned me and I said 'Aye, I said that', and [the Commission] had put it down word for word. It was quite hard hitting in parts. The only thing is, there's a good enough document [GiR] and discourse there, but is it going to be used for effect?

Year 1 interview – contributor to the GiR data collection and Participation Process

The emphasis in the data collection interviews and focus groups was on the views of rights holders. The participation process was more inclusive of civil society, those who were also duty bearers (if their organisation provided services), or had working relationships with duty bearers. The strength of GiR encouraged right holders in particular to invest in SNAP.

3.1 Conclusions

The baseline evidence provided by Getting it Right? demonstrates international best practice both because it was drawn from multiple data sources and validated by an inclusive, participatory process.

The inclusive and participatory nature of this work also paved the way for participation in SNAP's delivery and implementation.

The use of GiR as a living document ensures that the current work of SNAP continues to be informed by a credible and extensive evidence base.

Should the Commission become less involved in SNAP, attention should be given to ensure the curation of GiR, as a living document, is open and available to those leading on SNAP actions and initiatives.

4. Was SNAP Inclusive?

Participation is a key principle for human rights work. International best practice states that all stakeholders should be involved in shaping the commitments of a National Action Plan.

This section evaluates the extent to which SNAP achieved this standard, both in its development (pre-2013) and implementation (post-2013 launch). While the emphasis is on including rights holders, the section will also consider challenges in fully including people from civil society and public authorities with duty bearer status.

4.1 Development of SNAP

As discussed in section 2, there is clear evidence that an inclusive and participatory approach was taken during the development of SNAP.

There was an inclusive process and that those who had contributed to providing the evidence base, civil society was also involved in sitting around the table with the duty bearers, with the government, the NHS, local authorities ... and being part of the process of working out how to prioritise the issues, what were realistic goals that could be determined ... that probably gave civil society more of a shared understanding of the process and ownership of the process. So I think the process of giving them equal status to the duty bearers and those in authority, that also contributed to that collective ownership.

Year 1 interview – the Commission and Advisory Council member

This approach was not without challenges. Some voices highlighted the need to further improve inclusion and participation, which was acknowledged and taken on board through the process.

We need to make sure that we're not avoiding people who challenge us, because they are people who are valid in what they say.

Year 1 interview - Drafting Group member

The women's groups were really unhappy with SNAP and the way it was drafted, and they had a lot to say about it, and I thought... even in something like that, the team didn't shy away from it, they interacted in those meetings. They could've just avoided that, and yet they persisted.

Year 1 interview – Drafting Group member

In the development stage of SNAP there was a tension in hearing multiple and diverse voices, and keeping the size of the DG manageable (relatively small), as this was key to its success in hitting a useful timeline, but also to allow a consensus to be reached.

4.2 Implementation of SNAP

4.2.1 People with Lived Experience

It was recognised that engaging people with lived experience in the Action Groups would improve the quality of actions. To not do so would be a lost opportunity.

Within SNAP itself, what roles given to these individuals from marginalised communities as part of the reference group or individually will be the big test I think, and how much power they are given and how much input do they have to the decision making?

Year 2 interview - Better World Action Group

Different Action Groups approached the inclusion and participation of rights holders in different ways, some through their structures and some through their activities.

4.2.2 Lived Experience Engagement in Activities

Four Action Groups (Better Culture, Adequate Standard of Living, Health & Social Care and Justice & Safety) trialled participative approaches to the delivery of their actions. Examples include:

Better Culture: Perth & Kinross Innovation Forum: piloted local participation process engaging rights holders and duty bearers, to explore human rights culture in practice.

Adequate Standard of Living: Hosted a national Innovation Forum on 'Tackling Poverty Through Human Rights' to explore human rights based approaches to poverty – this forum was designed with and delivered in partnership with people with lived experience of poverty.

Health & Social Care: Supported a participatory action research project (with Strathclyde University) to explore the concept of health citizenship with people experiencing homelessness and asylum seekers.

Justice & Safety: Hosted an 'Accountability Roundtable' on Historic Abuse. This enabled survivors and those working on behalf of survivors to question progress being made by the Scottish Government towards fulfilling the Action Plan on Historic Abuse.

4.2.3 Lived Experience Engagement through Structures

Two Action Groups (Adequate Standard of Living and Health & Social Care) subsequently also trialled approaches to involving rights holders in their Action Group structures.

One of the agreed actions taken forward from the Poverty Innovation Forum by the Adequate Standard of Living Group was to work more closely with people with lived experience of poverty. This process was supported by the Commission's Participation Officer (recruited in 2015) with nine members originally recruited to a Reference Group. Every member represented a different lived experience of poverty, and care was taken to including diverse identities. Once formed the Reference Group itself was quick to critique its limited membership, highlighted gaps (for example, younger people) and led on recruiting people to those gaps.

The Adequate Standard of Living Reference Group has successfully collaborated to produce a number of actions, including responses to Government consultation, and working alongside other Action Groups. They remain a strong example of the value of including people with lived experience, and this group should continue with its current strategy for greater inclusion.

Inspired by the success of the Reference Group, the Health & Social Care Action Group developed a recruitment process to involve people with lived

experience of human rights concerns on their Action Group. A recruitment process was developed inviting interested parties to apply for places on the Action Group. Recruitment was successful, however, participant numbers were limited and the legitimacy of their engagement was questioned by the rights holders (see next section).

4.2.4 Challenges of Engagement

There were some challenges experienced with ensuring participation was meaningful and that a diversity of perspectives were included and reflected.

As one participant noted:

I turned up at the first meeting [Health & Social Care AG] and there were about 15 people in the room, and we all introduced ourselves, and I introduced myself, and it got back to the Chair again and I said 'Excuse me, where is everyone else? Like me? Independent', and they said 'no, you're the one.'

Interviewer: You're the rights holder?

Yeah that's right. If I'd actually known when I applied, I might not have applied ... I would like to see more rights holders there, definitely.

Year 4 interview – Health & Social Care Action Group

In this case, the participant was uncomfortable being the only representative of 'people' in Scotland. He had been worried that his inclusion had been tokenistic.

Potential practical and financial barriers to participation were identified early by both Action Groups and participants were provided with immediate reimbursement of costs incurred for items such as travel and childcare. This was highly valued by those involved. These practical and financial support costs were provided by the Commission.

4.2.5 Positive Role of Innovation Forums in Engagement

It is worthy of note that the use of 'Innovation Forums' was recognised by rights holders as a genuine method of engaging with power structures and

being heard. They were well liked by participants ('inspiring') as a rare space to meet with other Action Groups and to engage with the 'real impact of SNAP'.

The event in December [2014], it took quite a step forward in my opinion by involving people directly from marginalized communities ... [It] was good to highlight to different organisations about the work of SNAP and it sent out a good message about involving people directly, but these people need to be involved directly in the Action Group for any change to actually take place.

Year 2 interview - Better World Action Group

There was recognition too, that they provided a direct bridge between lived experience and the work of SNAP. The forums would be most useful where they were used as a true knowledge exchange space, not just sharing information about SNAP, but deriving direction and contacts from community groups.

It would be rather good during this year if we could actually have some of these innovation forums producing clear recommendations and learning points from them, and then have clarity within the individual AGs about how they are going to take forward those action points, what they are going to do specifically as a result of that, and ideally to frame those in terms of asks of specific partners.

Year 2 interview - Better Culture Action Group

4.2.6 Including Civil Society

Scotland has a strong civil society of existing networks which were incorporated into GiR's participatory process, SNAP's drafting group and all SNAP Action Groups.

However, lack of resources, exacerbated by austerity, proved to be a significant barrier to the full inclusion of civil society in SNAP. This affected time commitments, with the Commission often having to compensate:

To be honest with you, because we were all trying to do this on top of our other jobs, there was only so much resource and time that we all

would have to dedicate to this, so it required really, key members of staff from the SHRC to take a lead, and do a lot of the ground work, writing up stuff for us then to discuss and develop.

Year 1 interview - Drafting Group and Adequate Standard of Living AG

In turn, the Commission's role was ring-fenced in terms of the number of staff hours they were able to commit to SNAP, resulting in key members working longer, and right up to deadlines. Such time constraints impacted on full participation:

Sometimes papers arrived at the 11th hour, there wasn't a lot of opportunity for internal consultation on what the SHRC had produced because sometimes I was getting it the day before the meeting, which meant I was the only person from my organisation that was reading it and synthesising information, so that was probably a challenge for people who had more of a representative role.

Year 1 interview - Advisory Council & Drafting Group

This latter point is key for understanding the ambition around inclusion. Members from civil society were chosen not only to represent the views of rights holders, but to act as a conduit, to share recommendations that came through drafting and planning stages with their members, to hear their members' comments, and to allow the voices of their membership to influence.

I set up a kind of small reference group just from our own membership to kind of feed into what I was then feeding into the drafting group, and kind of shared the drafts back with that group, and that informed some of what I fed back in.

Year 1 interview – Drafting Group member and Health & Social Care AG

Where insufficient time was given for this process to appear, inclusion became limited.

Austerity continued to impact with some Action Groups being particularly affected and meetings becoming poorly attended. Civil society became unable to offer their time without a funding stream to 'buy them out' of existing work,

and were also increasingly preoccupied for core-funding in order to keep their organisation/service in business.

The challenges of voluntary sector organisations who have no core funding: that affected my capacity. If an emergency came up I'd still have to deal with it. So there's a reality check, if voluntary organisations are involved then sometimes things will happen.

Year 1 interview - Advisory Council and Adequate Standard of Living AG

The impact of austerity was not anticipated when designing the structure of SNAP and despite strong commitment from civil society, it did impact on progress.

In contrast, the two convenors of the Health and Social Care AG were drawn from a public body (NHS) and a larger civil society organisation more able to defend itself against austerity.

[My organisation] is not a massive organization, but it is a public sector organisation, therefore it has a level of stability and endurance around funding and support and access. It does definitely make things easier.

Year 3 interview – Advisory Council and Health and Social Care AG

The convenors estimated that they have given at least a day a week to the work of their AG, with a greater contribution where the action could also be branded as an achievement for their organisation. The co-convenors also had access to resources to help deliver actions, and to support a secretariat role. This team were fully in support of SNAP continuing in its current model. The impact maps around the AG demonstrate the significant resources required to make this work.

Although it's difficult at times, it would be a real shame to walk away from it just because it's difficult.

Year 4 interview – Advisory Council and Health and Social Care AG

4.2.7 Government and Other Duty Bearers

The inclusion of duty bearers in the Development Group and Action Groups was a core objective of SNAP to ensure that SNAP actions had buy-in from those with the responsibility for delivering change. In practice this meant that AGs were made of members with competing priorities and agendas.

During the development of SNAP, there was a degree of compromise required that was frustrating for some. In particular, those working more directly with rights holders saw potential in SNAP that risked not being realised because the duty bearers involved resisted these arguments.

There was always an overarching constraint in that [the Commission Chair] was quite clear from the start that we had to do it in partnership with the Government, and effectively, in order to achieve that, Government had to sign up to what was going to be done. Now that was always going to be a constraint, that limits ambition because Government will be much more reserved in what they're prepared to say they can achieve over a certain given time there will always be people like me who want it to be more hard-hitting, challenging, ambitious.

Year 1 interview – Leadership Panel

Members of both the Scottish and UK Governments were involved throughout the development and implementation of SNAP. This was welcomed by many civil society participants:

I think it's astonishing that we've been able to get the Scottish Government to agree, because the amount of time that I spend talking to the Scottish Government about human rights and they just kind of look at me blankly, like 'what?'

Year 1 interview – Drafting Group

Government input is valuable. It was apparent, however, that where civil society generally saw potential for transformative positive change that transcended politics, government was more cautious. This point will be returned to in section 5.

4.3 Conclusions

In part, SNAP has been an inclusive project involving increasing members of civil society, rights holders and duty bearers. However, participation of people with lived experience was more difficult to achieve as SNAP moved into implementation. Attempts to increase and improve access to people with lived experience have been extensive. However, a shared view of SNAP participants is that more involvement would strengthen overall inclusivity.

The Adequate Standard of Living Reference Group has successfully collaborated to produce a number of actions, including responses to Government consultation, and working alongside other Action Groups. They remain a strong example of the value of including people with lived experience, and this group should continue with its current strategy for greater inclusion.

Innovation Forums have successfully acted as a genuine method for people with lived experience to meaningfully engage with SNAP and from which to encourage participation in other SNAP structures such as the Reference Group. They were also a useful way of getting people involved in action development with those in a position of power, and as a way of recruiting people to give longer-term commitment to SNAP.

Innovation Forums are key to promoting the achievements of SNAP and recruiting new members with lived experience, and should continue.

Immediate reimbursement of costs has been highly valued by those with lived experience, but this financial support appears to have come exclusively from the Commission, and sharing of the responsibility for this investment would be helpful.

There is strong evidence that limited resources, compounded by austerity, and the consequent precarity experienced by those working in civil society had a negative impact on SNAP. Despite wanting to be active members, many were unable to commit the time and energy they wanted to. Without a significant shift in UK policy, a funding stream is required to fully and meaningfully involve civil society in SNAP.

Where structural funding was forthcoming (for example to support the day a week investment of the co-convenors of the Health and Social Care Action Group) successful delivery of actions and outcomes was improved.

5. Was SNAP Committed to by Key Stakeholders?

International best practice states that National Action Plans should have high-level and sustained commitment from stakeholders across the political spectrum and all bodies with responsibility for delivering actions.

This section evaluates the level of this commitment and support from the various stakeholders during the development and implementation of SNAP.

A combination of the participative approach taken to develop the evidence base and the early groundwork by the Commission to develop support, led to an enthusiastic interest in SNAP by a wide range of stakeholders. This enabled the quick development of a Drafting Group drawn from across the public, private and civil society sectors⁴ to support the development and implementation of SNAP. An Advisory Council (of 27 leaders in their field across Scottish Society) was also created to support SNAP strategically.

SNAP was launched with the support of the then Deputy First Minister Nicola Sturgeon, who spoke of the collaborative and inclusive vision of SNAP:

“We will continue to work with the Scottish Human Rights Commission to make rights a reality for all in Scotland, in keeping with the importance this government has long attached to human dignity, equality and fairness and the pursuit of social justice.”

The launch was also supported by Nils Muižnieks, the Council of Europe’s Commissioner for Human Rights, who spoke to the ‘boldness’ of SNAP, and highlighted in particular, the value of the participatory process:

“The Scottish National Action Plan lays the foundation for a culture of human rights in Scotland which puts people at the centre of society.”

Through the participatory working that flowed through Getting it Right?, the subsequent participation process and into the development phase, the launch of SNAP made Scotland visible on the international stage.

⁴ The Drafting Group included representatives from Amnesty International; COSLA; Care Inspectorate; Equality and Human Rights Commission – Scotland; Health & Social Care ALLIANCE; NHS Health Scotland; Scotland’s Commissioner for Children and Young People; Scottish Council for Voluntary Organisations; Scottish Councils Equality Network; Scottish Government; the Scottish Trade Unions Congress and the Scottish Human Rights Commission

Already it's attracting significant international attention and support, you know, other countries are looking towards this.

Year 1 interview - Advisory Council

The Commission asked me to go to [an international event hosted by the UN around National Action Plans] to talk about SNAP, in the context of the participatory approach we've taken. All the other models were mainly government led, or led by their commission. None of them has this sense of a joined-up approach which is really hard to do in practice. I was glad that we were doing that, I was really proud.

Year 4 interview – Advisory Council and Health and Social Care AG

Following the launch of SNAP, a Leadership Panel was developed, largely taking over the strategic role previously provided by the Advisory Council. In addition, most members of the Drafting Group became a member of one of the Action Groups, (with many taking on co-convenor roles) demonstrating sustained commitment to SNAP.

Each Action Group was set up with two or three co-convenors with a remit to develop a membership that provided a cross section of engagement from different stakeholders. Within this overall model, each Group was then free to decide how it would develop its membership and fulfil its remit.

The structure of SNAP's membership, articulated through Action Groups, was strong at the start of the implementation phase. The absence of a set structure for prioritising and delivering actions allowed for each group to develop its own unique methodology. This led to some highly creative ways of working and extended wider engagement. For example, whilst working to thematic areas, the Justice and Safety Action Group meetings were set out well in advance, to allow for external 'experts' to the group to participate in specific sessions where relevant duty-bearers were being held to account for progress under certain actions. There was a willingness by duty bearers to engage in this:

To come to a meeting of the Justice and Safety Action Group and to essentially sit on a panel being questioned by members of the group ... that was big for me. That was not something I could have seen the [justice duty bearer] organisation in the past, doing. The fact that they

were willing to do this and also listen and learn. [Senior Management from the Justice Sector] that was the line he always took – “If you have other perspectives, other ways we can do this, I want to know. I want to know how we can improve this, let’s do it together rather than us do [justice] to you”.

Year 4 interview - Justice and Safety Action Group

The lack of defined process for all Action Groups did mean, however, that there was no agreed guidance for how each group should decide and deliver actions. As a result, some AGs struggled or were slow to decide on priorities and launch a body of work.

With the exception of the Health and Social Care Action Group, a Co-Convenor of each AG was appointed from the Commission. This was to ensure that someone with a thorough understanding of the evidence base, who was familiar with the structures that had produced the work to date, and had a clear engagement with the overall ambition, was in a leadership role. The plan was to move out of this role as the AGs increased and improved their capacity.

Through 2014 and 2015, some additional effort was required by the Commission Chair to emphasise the importance and value of SNAP to senior colleagues within some statutory organisations in these leadership roles. This helped to help reinforce their commitment to the AGs, and SNAP more broadly, to ensure that members of AGs took their commitment seriously.

Prolonged commitment through phase 1 of SNAP appears to have been contingent on the availability of someone in a secretariat role for each AG. At points when this role was lost, the result was a reduced commitment by AG members. This was most noted in the Adequate Standard of Living Group and after some years of functioning well, the Justice and Safety AG also lost their secretariat and similarly stalled.

Commitment should not just be understood as participation, but also as resource sharing. While the Commission had taken a strategic lead in the development stage, it was hoped that the AGs would, from their own memberships, provide secretariat and financial support to achieve actions.

The Commission had limited resource to invest in SNAP. In order to fully meet international obligations of supporting National Action Plans, other states have provided substantial funding to their equivalent of the Commission:

New Zealand ... they had something like a million dollars to spend on a three year research project, and we had [one researcher- with other responsibilities].

Year 1 interview – Drafting Group and Monitoring Progress Group

New Zealand also had three full time staff members, dedicated to development and implementing their NAP. There was no comparative provision in Scotland.

5.1 Conclusions

The Commission has been a driving force behind SNAP, building expertise, advancing their evidence base, and as discussed in later sections, developing a number of actions, a communications strategy and hosting events, whilst also delivering outcomes and impact.

The growing global reputation of Scotland's National Action Plan and the contribution of the Commission are blended to the extent that further iterations of SNAP are strengthened, in terms of global esteem and recognition, with the Commission's continued involvement and leadership.

Early hopes that SNAP would be self-sustaining with both leadership and sustained structural investment from beyond the Commission have not emerged with the exception of the Health and Social Care Action Group.

Many co-convenors of Action Groups were unable to sustain their commitment because of changing roles and pressures from their employers, and representatives of the Scottish Government were particularly susceptible to such role changes.

There have been examples of commitment and support from the Scottish Government, but this does not appear to be consistently given, and has reduced over time.

Fulfilling actions requires meaningful investment from duty bearers including the Scottish Government, to be open to prioritising bodies of work (that may not align with their own institutional priorities); to investing in pockets of work (particularly where the voluntary sector have a role to play given the precarity of that sector); and being visibly supportive of the progress of SNAP demonstrable by their time and energy.

Renewed commitment to SNAP from the Scottish Government would be valuable. To have this reinforced by the Scottish Parliament would also help.

There was evidence of growing tension in the role taken by the larger duty bearers as SNAP was implemented. Early interviews indicated that duty bearers were able to adopt a role of co-collaborator to problem solve key challenges. This role is in tension with an emergent (or more likely the pre-existing) role of duty bearer as obligated actor to be held to account. It was difficult for duty bearers to maintain partnership working with this dual role and a second iteration of SNAP has a structural issue to resolve here: can larger duty bearers be accountable AND solution-generating?

There is strong evidence that SNAP members from civil society are keen to see SNAP continue.

6. Was SNAP Action-Orientated?

International best practice states that National Action Plans be action-orientated whereby each priority issue has specific and achievable commitments for change. It also recognises that process is action, and that a National Action Plan should be both an outcome and a process, both of which are equally important.

This section evaluates the degree to which SNAP was an action-orientated plan.

6.1 Process as Action

The process of participating in SNAP itself generated increased understanding of human rights, and can therefore be seen as human rights education in action.

Most people interviewed in the Year 1 interviews (2014) were enthusiastic about SNAP, bought into the process, and derived value from the meetings.

I felt that actual change did come about as a result of the attendance of the people at meetings.

Year 1 interview - Advisory Council and Leadership Panel

This kind of impact was evident even in the drafting phase:

The Scottish Government have just issued a draft of the Strategic Commissioning Guidance, which is guidance all the new health and social care partnerships across the NHS and local authorities, and there is a statement about human rights within that, and that is a direct result of us having taken SNAP as a document and gone and talked to people about it. It's the first time I've genuinely seen a statement around human rights that isn't that rather bland human rights is for everyone and must be embedded, it's a bit more gritty and a much more human perspective.

Year 1 interview - Drafting Group, then Health and Social Care AG

6.2 Responsibility for Identifying Actions

As outlined in section 2, SNAP was established with five Action Groups covering five thematic areas:

Better Culture

Better Lives – Adequate Standard of Living

Better Lives – Health & Social Care

Better Lives – Justice & Safety

Better World

These Action Groups were intended to be the vehicle for delivering practical actions. Some Action Groups began their work with a relatively agreed set of actions, which had been identified through the SNAP development phase. Other Action Groups began their work with fewer concrete actions. In these cases, the SNAP development phase had identified areas for further exploration and detailed action planning, including through the use of, for example, Innovation Forums.

This approach was seen as a weakness by some:

The commitments that organisations are willing to bring perhaps started too late so we were very rushed in the end say 6 months of, can we say the Government is committed to this? The Government doesn't work at that speed, to make the big decisions about policy direction. It was easier for groups like SCVO and groups with smaller flatter management structures like us for example: I could go along and say 'yes, we are committed to this specific action'. ... it became less of an action plan and more of a plan for action: a cold depiction there but there was a kind of frustration. I felt the frustration. Next time round we will learn from that and I think we would need to perhaps think about the negotiations, the brokerage stage earlier.

Year 1 interview - Drafting Group, then Adequate Standard of Living AG

The interviews were generally critical that the thematic areas identified were relatively broad, with no specific actions and no timeline.

One of my concerns from early on, was that it felt like we were almost looking at – let's get the report written and then job done! We've got to

be actually thinking about delivering a programme of activity here I would outline what we we're going to try to achieve, how we were going to do it, what types of activity would that be, what types of methodology would we use, what that would look like in terms of resourcing, staffing, cost it out like that, timeframes and you would put that together in a plan. This is our evidence, and here is a programme to deliver that.

Year 1 interview - Drafting Group

Similarly:

That's a valid criticism of SNAP, that there aren't many actions in this thing called an action plan.

Year 1 interview - Advisory Council then Leadership Panel

At the point of launch, it was acknowledged in SNAP that actions had not been fully developed in all areas. This was partly because of time limitations and partly because further engagement, particularly with those with lived experience of the issues, was required to identify the most appropriate actions.

6.3 Action Groups in Practice

There was broad enthusiasm to be involved in the Action Groups. However there was also some anxiety about what involvement meant. Concerns included it being a 'talking shop', something they wouldn't in practice have time to commit to, and having a shared understanding of why human rights are important.

There were clear issues in the early days of each Action Group. For full participation, each person had to be aware of who else was in the room, and what their remit was. This could take five minutes per person, with half the meeting taken up by introductions. As the membership of groups evolved, these introductory sessions remained essential for some time. Progress at moving to actions was slow for most groups, and the open-endedness of the SNAP document potentially didn't help Action Groups focus their minds on what they could achieve.

There seems to have been some tension between those who had contributed to the development of SNAP, and newer members of the AGs. More experienced members were keen to move to actions, whereas capacity building was required for new members to help them conceptualise human rights, and the purpose and potential of their groups. Perhaps had expectations been managed better, the earlier meetings could have been, knowingly, focused more on this capacity building work, as it was essential to bring in new people. Frustration at a lack of progress was felt by some:

Because we've had a year of embedding the process, building relationships, we all understand what it's about now, we just need to do it.

Year 2 interview - Better Culture AG

As Action Groups progressed, some positive change was evident:

The whole process of SNAP and the evolution of this justice and safety group has been very interesting to watch, and see how it's gone from a table of people coming along and going "Well, we've been invited, but we don't really know what's expected of us" moving through that "What's the risk to our organisation, what do we have to do, what's our obligation here?" and that sort of recognition, I think it's on that point now of actually this is a really good thing, this could benefit not only our organisation, but you start to see the bigger picture. It is about taking a human rights approach and that's a really difficult thing to sell in any kind of organisation, not just the police, the turn-off of "it's about human rights".

Year 2 interview - Justice & Safety AG

One Action Group (Health and Social Care) was more able to hit the ground running than others. This was due to three key factors: engagement of the Co-Convenors in the drafting and development phase; strong institutional support for their ongoing participation and commitment of time to this; and clearly established understanding of the links between their subject area, and the human rights framework.

While actions were not always fully developed or articulated, it is clear that activities facilitated by the Action Groups nonetheless had real value for participant organisations.

One of my member organisations came along to that, and he's not on the AG itself but just came as a guest to that meeting, and he's gone away with loads of things he's going to take forward with his organisation and that's going to be used to influence human trafficking bill, and that's down to the answers that he got from [Scottish Government] officials. It created that opportunity for somebody with real direct experience of working with trafficked children to question a [Scottish Government] official who's writing the bill, not get all the answers that he was hoping for, but go away and say right what we need to do is this, this and this.

Year 2 interview – Justice and Safety AG

6.4 Supporting and Resourcing Action Groups

Each Action Group was created with two or three co-convenors, with the freedom for each group's structure to be shaped by its co-convenors. All but one of the Action Groups (Health & Social Care) had a member of the Commission as a co-convenor. This was in part due to the fact that the rights agenda and commitment to it was already more embedded within the field of health & social care.

The co-convenors of all groups were selected to provide a range of engagement and leadership across civil society, government and public bodies. Some of the (non-Commission) co-convenors brought to their role a secretariat provision which helped to coordinate Action Group meetings, take minutes and keep Action Group members updated in between meetings. This resource was integral to the effective and efficient running of Action Groups. Where this resource was not forthcoming from other stakeholders, the Commission took on this role.

The intention over time was that the Commission could take a step back from all of these roles once the Action Groups became more established. In reality, this did not happen, in fact, the Commission ended up taking on more roles, rather than less. This happened for a variety of reasons, including, the loss of co-convenors due to retirement or moving on from their existing roles.

In one case where this happened, although the organisation provided a new co-convenor, they did not replace the secretariat that the previous co-convenor had provided.

Progress within other Action Groups was also hampered by austerity. Civil society co-convenors and Action Group members without a funding stream, were effectively providing their time for free. As SNAP progressed and the impact of austerity continued to hamper the work of civil society organisations, this did result in many, despite their belief in SNAP, having to step away from more direct involvement due to a lack of resource.

As noted above, the Health & Social Care Action Group did not have a Commission co-convenor (although there were a member of the Action Group). They were also the only group to have fully-resourced time for the co-convenors. Coming from NHS Health Scotland and the Health and Social Care Alliance, both convenors had strong institutional support ('our organisations are very committed to it') with the tangible result that each was spending around day a week on SNAP work. By year four this had risen to a day and a half, partly as the human rights approach had gained more traction within their organisation, allowing greater investment in human rights related work. This may be understood as impact, where the 'day job' becomes more 'rights-orientated' as the organisation becomes convinced of the utility of this approach.

Both convenors had actively used their networks, in the development phase, to share drafts of SNAP and feedback to the Commission a strongly participatory series of recommendations, thus embracing the model, and this process was well practiced when SNAP launched and the Action Groups were formed. Both had also promoted SNAP to their networks in the drafting stages and had had some success convincing their allies to incorporate human rights into their policies and practices. The convenors had continued their work together between the drafting of SNAP and the set-up of the new Action Group. Thus within the convening team, there was a strong sense of SNAP, and the evidence base, together with ownership of the group, and trust in the other members. The group worked tirelessly and with vision to implement SNAP.

Even with these advantages, the job of the Health and Social Care Action Group was limited to some regard by a lack of very high-level engagement.

But if we wanted to come up with an action that we wanted every NHS board to implement we're a long way from having the authority to make that happen.

Year 2 interview - Health and Social Care AG

By year 4, this concern had led to a new engagement with the Scottish Government who had not previously had a place within this Action Group.

The Health and Social Care Action Group started with a strong secretariat, providing an organisational framework that allowed actions and outcomes to be sustained. Interviews with members from other Action Groups reported the need for a formal management process to appear, perhaps through a resourced Secretariat that would permit progress to be recorded and reviewed which in turn, would encourage focus on actions.

What we've got on the positive side is a lot of like-minded committed people sitting around tables talking to each other... so its enhanced those relationships, its provided a forum in which to have discussions. What it doesn't have is a terribly clear sense of direction, or dynamism internally, so it's quite easy for the AGs to settle into a fairly comfortable mode of working where from time to time they meet together and they discuss issues, and some of them will set themselves objectives of having innovation forums, and that's provided a wee bit of a target to aim for. But even then there's a lack of the drive and motivating force in the sense of: nobody is overseeing this exercise in the way ... saying excuse me but we asked for some advice on this 3 weeks ago, where is it? And that doesn't exist within SNAP.

Year 2 Interview - Better Culture Action Group

6.5 Identifying Impact of Actions

Over 50 actions and activities took place across SNAP over its four year cycle. It has not been possible to analyse the impact of all of these actions with the scope of this evaluation.

The approach taken therefore has been to examine in detail a small sample of actions within each Action Group's remit, including actions with varying degrees of success.

'Impact maps' have been produced for this sample of actions, using the interviews and documentary analysis collected from year 1-4. The maps aim to capture action, outcomes, impact and any barriers to impact that can be used as learning points for future work.

Symbols in the maps represent the following:

Rectangles	an Action Group
Diamond	people with lived experience/rights holders
Oval	public response with external (to SNAP) visibility
Hexagon	Meetings, a point where action can be agreed
Star	Demonstrable impact

6.5.1 Better Culture

The remit of the Better Culture Action Group was to build people's understanding of human rights, and to enable organisations to put rights into practice.

Two Better Culture Action Group activities have been mapped.

6.5.1.1. 'Fly the Flag' Awareness Raising Campaign

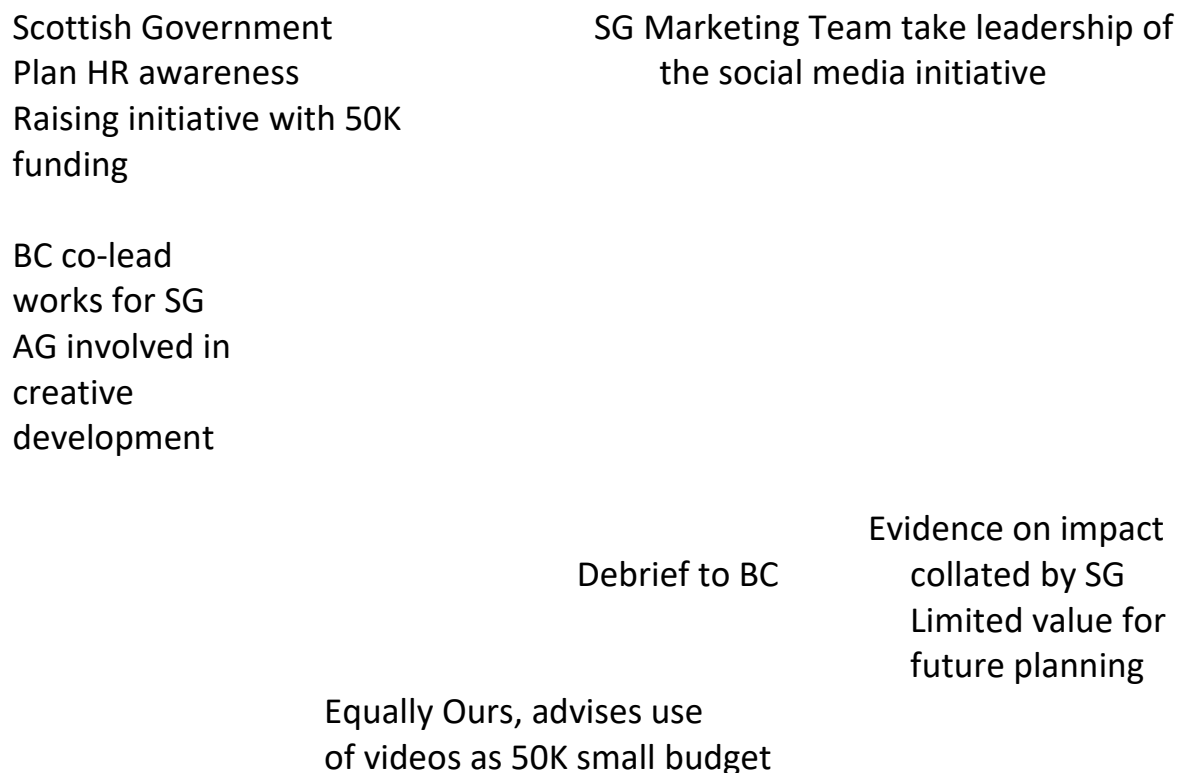
The Scottish Government, as a member of this Action Group, made £50,000 available for an awareness-raising campaign about human rights. While led and executed by the Scottish Government, the Action Group was invited to contribute to the campaign's development and delivery.

The eventual campaign concept – 'Fly the Flag' – was not grounded clearly in human rights, and did not reflect the advice of the Action Group and other stakeholders from civil society.

Without their own financial resources, the Better Culture Action Group did not have control of the campaign despite investing time to produce innovative ideas.

Campaign monitoring data was gathered by the Scottish Government but did not enable an evaluation of its impact on awareness of human rights. As a result, an action that was originally intended to be a pilot for a larger campaign could not be evidenced as effective.

Impact Map: #Flytheflag campaign



There was disappointment within the Better Culture Action Group, some of whom considered this a lost opportunity in terms of i) raising awareness and ii) producing an adequate evaluation that could lead to better strategy.

6.5.1.2. Innovation Forum

The second Impact Map examines an action designed to improve the human rights culture at local authority level: an Innovation Forum developed in partnership with Perth & Kinross Council.

SNAP identified Innovation Forums as key actions for the Better Culture Action Group. These were envisaged as being vehicles for sharing experience in

embedding a human rights culture, inspiring and encouraging others to test innovative ways of putting human rights into practice.

Early ideas for a forum within Better Culture produced a traditional model of a conference which was rejected as being too academic in structure, with inclusion of rights holders being tokenistic.

Impact Map: Perth & Kinross Innovation Forum

= Broad remit
Commitment to produce
3 innovation forums

2015
Innovation
Forum

Issues:

Council lead changed roles

No significant investment

beyond Commission

Limited accountability

Limited capacity to follow up and disseminate learning

Positive Impact:

Positive outcomes re participation on the day

Creative methodology developed

Adoption of that methodology by Scottish Government in children's services planning

Instead, the Action Group agreed to launch a community based initiative with a local authority, bringing rights holders and duty bearers together to co-produce locally relevant actions to improve the human rights culture. The

intention was for this approach to be piloted in one area, with learning captured and shared elsewhere, and if successful, replicated.

The strategy was well-conceived. This approach would give greater access to rights holders already involved in community issues. Duty bearers within the community should be able to respond to actions generated during the forum faster than the national duty bearers such as the Scottish Government. Further it was recognised that some barriers appear at the community level (as demonstrated in GiR with a gap between law and experience). With the vision agreed, Better Culture invited local authorities to volunteer for the forum, and of the 32 authorities in Scotland, 5 applied. Perth and Kinross Council were selected because of their commitment to the vision, as well as being demographically representative of Scotland.

The process was largely funded by the Commission, with smaller contributions from Perth and Kinross Council and the Children and Young People's Commissioner Scotland. Additionally the Commission invested 64 days of staff time in the forum.

The forum consisted of three events plus a further fourth event that was planned, but which did not happen: a community event for rights holders (practicing empowerment through human rights); a community event for duty bearers (practicing ideas of accountability within human rights models); and a collective event to agree local actions. The fourth event would have been a revisit, a year later, to the actions to determine what progress had been made.

There was strong initial leadership from the Council that allowed the forum progress to the first three events. In practice these were inclusive, participatory, represented diversity and attracted fairly high numbers (50 to the first event and 30 to the second). The third event was also well attended, was productive, action-focused and 'inspiring'.

Momentum from this third event of the Innovation Forum faded following the departure of the Council lead to a different role. He was not replaced, and there was no one to take forward the actions agreed and deliver outcomes. This highlights a key lesson that while individual human rights 'champions' within organisations are valuable, wider buy-in to a human rights based approach is essential to ensure long-term impact.

This example generates some questions for the first phase of SNAP and the model that it used. The actions were founded in the Action Groups, but required time and resource investment from members and allies (such as the Council). The majority of resources came from the Commission. There was no 'holding to account' of members and allies (other than the Commission) for delivering on the actions agreed. The next iteration of SNAP should consider how accountability will be delivered.

Further, the actions agreed were not sufficiently structured into fixed pockets of work. The third event did not agree timelines for each action, or consider what resource would be required or where this would come from. Perhaps stronger scaffolding of the actions would have allowed the Council to establish incremental progress, sufficient to keep some momentum going.

However, despite these challenges, enough learning from this process was captured and packaged to enable it to be shared and further developed. A further pilot process applied the methodology to children's services planning in the City of Edinburgh Council. The subsequent revised methodology was then disseminated as guidance to all local authorities by the Scottish Government.

6.5.2 Better World

The remit of the Better World Action Group was to better enable Scotland to give effect to its international human rights obligations. In practice, the Action Group had three key areas of focus: international treaty monitoring; climate justice and environmental issues; and business and human rights.

One area of Better World Action Group action has been mapped.

6.5.1.1. Business and Human Rights Action Plan

The Better World Action Group included members of the business community. These members had understood their organisation's obligations under corporate responsibility, and those who attended the Action Group meetings, were keen to learn about how a human rights approach could help them deliver this, but struggled to see how it would 'help' businesses competing in terms of productivity, efficiency and aiming to deliver profit.

Part of the narrative used to help business representatives within the action group, used a focus on overseas business interests, focusing on child labour,

some focus on sourcing sustainable materials from overseas and the consequent media and consumer backlash if a business was found to compromise culturally acceptable work practices. Thus a risk-aversion model was used to increase engagement with the industrial sector.

Impact Map: Business and Human Rights Action Plan

Membership includes organisations
that represent small business and large finance

Difficulty in early days understanding what human
Rights can bring to business

Recognising that businesses generally (and not just those represented on the Action Group) struggled with why human rights mattered to them, the Scottish Government took a leading role in developing an action on business and human rights.

In order to establish a robust evidence base to underpin an Action Plan on Business and Human Rights for Scotland, the SNAP Better World Action Group commissioned (with Scottish Government funding) a National Baseline Assessment on Business and Human Rights. This was carried out using a tool designed by the Danish Institute for Human Rights and the International Corporate Accountability Roundtable.

The National Baseline Assessment comprised desk-based research, consultation with businesses and civil society organisations, and engagement

with experts in the field of business and human rights and was published in October 2016.⁵

A series of stakeholder consultations then took place on the National Baseline Assessment:

- Civil Society/ Third Sector – June 2017
- Trade Unions – 8th November 2017
- Business Sector – 1st March 2018
- Responsible Business Workshop – 10th May 2018
- Children and Young People – 3rd August 2018

This work is ongoing and a Drafting Group is now drafting a National Action Plan on Business and Human Rights. To inform this work, a comparative review of National Action Plans around the world has been published by the Scottish Human Rights Commission.⁶

6.5.3 Adequate Standard of Living

The remit of the Adequate Standard of Living Action Group was to enhance respect, protection and fulfilment of human rights to achieve an adequate standard of living for all.

Two actions have been mapped.

6.5.3.1. Innovation Forum on Tackling Poverty through Human Rights

An Innovation Forum was held in December 2014 on the theme of Tackling Poverty through Human Rights. The Action Group had recognised this was an area that required action, but wanted specific actions to be identified and informed by people with lived experience of poverty.

The event brought together rights holders, civil society organisations, duty bearers, academics and international human rights experts and practitioners. A report and video footage from the event is available online.⁷

⁵ Read the National Baseline Assessment on Business and Human Rights [Executive Summary](#), [Findings and Recommendations](#) and [Annex of Evidence](#)..

⁶ See http://www.snaprights.info/wp-content/uploads/2019/03/SHRC_BHR_NAP_Report.pdf

⁷ See here: <http://www.scottishhumanrights.com/media/1439/povertyinnovationforumeventreportehversion5.pdf>

The event was designed by the SNAP Action Group on Adequate Standards of Living using the “FAIR” human rights framework. This involves:

- Understanding the FACTS – primarily based on the views and experiences of those directly affected
- ANALYSING the human rights at stake
- IDENTIFYING responsibilities and actions – who should do what?
- Concluding with a RECALL of agreed actions and next steps to implement them.

The event was opened by the then Chair of the Commission, Professor Alan Miller, who explained that the purpose of the day was to ensure that the voices of lived experience of poverty would be at the centre of action developed under SNAP.

Twelve people then shared their personal experiences of living in poverty in Scotland. All of these testimonies were filmed and are available online at www.scottishhumanrights.com. Several people then presented their experience of using human rights as a way of tackling poverty and its consequences to spark ideas to take into the action planning phase of the day.

The afternoon was dedicated to group work where each table in the room discussed whether the examples that they’d heard about earlier in the day would: work in Scotland, how that could be achieved and what should happen after the event. Once each table had identified its suggestions for action, everyone in the room then voted for the top three priorities.

Impact Map: Innovation Forum

The Innovation Forum identified a number of priority areas for action grouped around the themes of Empowerment, Ability and Accountability. Most of these were subsequently taken forward through specific programmes of action either within SNAP or by the Commission. This included:

1. People who are living in poverty should be involved in the decision making and monitoring processes.

Set up a Scottish version of Participation in the practice of rights project. Bring together local community activists/ organisations doing community work with PPR to generate awareness & capacity building.

Action taken: Housing Rights Project (SNAP led)

2. People need to have the knowledge to hold decision makers to account - front line staff need the knowledge and training to realise people's human rights.

Hold a general campaign on rights: focus on raising awareness of the right to participate as well as the rights of people living in poverty.

For campaigns – need to simplify the language around human rights to ensure that people know that it is relevant to them.

Action taken: Audience Insight Research (Commission led)

3. Budgets need to apply a human rights lens, be participatory and create a social audit.

Need to embed human rights considerations into the allocation of resources with stated outcomes (e.g. within existing frameworks).

Take a couple of pilot areas where budget work can be more participatory and develop a means of providing control over local resources.

Actions taken:

Developed a briefing paper on Human rights budgeting and hosted workshop with Scottish Government (SNAP led).

Attempted to pilot budget work in one local health board (SNAP led).

Develop a programme of human rights budget work (Commission led in partnership with Health & Social Care Alliance).

4. Early intervention and assessment of human rights impact need to be carried out before and after policy and budgetary decisions are made.

Build HRIAs into the process & implementation of budgets and policies.

Actions taken:

Ongoing work as part of human rights budget work project (Commission led).

Further promotion of Equality & Human Rights Impact Assessment work (Commission led in partnership with EHRC).

5. Measuring progress in tackling poverty should not just be about economic prosperity.

Measures such as the humankind index and wellbeing indices should be viewed of equal importance in measuring progress in tackling poverty as economic measures.

Actions taken:

Focus on poverty as a Human Rights issue which drove the Commission's response to the Fairer Scotland consultation (Commission led). Adequate Standard of Living Reference Group focused work on fuel and food poverty (SNAP led).

The wider focus on Economic, Cultural and Social Rights led to the Better World Innovation Forum in 2015 (SNAP led) and the Commission's 2018 ECSR workshop series. This work increased the international reputation of the Commission and SNAP and engaged the Chair of the UN Committee on ESC Rights at a further event in 2018 (SNAP & Commission led).

Another consequence of the Innovation Forum was the continued desire by those with lived experience to remain involved and to inform future action. A new Reference Group was subsequently formed, recruited from both participants in the Forum and a broader population. The Reference Group exercised its autonomy, preferring not to merge with the Action Group, but to retain its independence. As noted above, the group was also able to quickly critique its limited membership, and highlighted gaps for further development. The Reference Group has gone on to develop its own programme of work including developing responses to the Scottish Government's consultations on new social security legislation⁸ and fuel poverty.

6.5.3.2. Housing Rights Project

As noted above, the 2014 Innovation Forum generated an action on housing rights.

⁸ <http://www.snaprights.info/better-lives-adequate-standard-of-living/human-rights-and-social-security>

Impact Map: Adequate Standard of Living and the Housing Project

Innovation Forum 2014
& Innovation Forum '15

Informal conversations happened at the forum between Edinburgh Tenants Federation and PPR (Participation in the Practice of Rights). This was followed by more formal meetings where the project, supported by the Commission, took shape.

The project used a human rights-based approach to empower the tenants to realise their right to housing. The approach was strongly participatory: the tenants defined the issue; produced data collection instruments; conducted the research; met with the Council; co-wrote reports based on the data; and systematically took control of their own empowerment inviting 'credible experts' into meetings to upskill and improve confidence.

From year three and four interviews, there is evidence crediting SNAP with maintaining the momentum of the project through having knowledgeable allies, allies viewed as credible voices by the duty bearers, and solidarity from other SNAP members.

The tenants and the ETF continued to challenge the service provision and in year four of SNAP were able to secure an increase from £1 million to £2.3 million pounds of investment into social housing. Further, the tenants were central to decisions around how this money would be spent, increasing their control over priority areas, and also the look of completed work. The impact isn't just around economic investment.

There has been a transformation in how the tenants speak of their homes, now described as a source of 'pride'. Some tenants put Christmas decorations up for the first time in 2017, and others have started inviting friends home, where before they felt unable to.

The Commission has produced a short film documenting the project and its impact, which also notes the longer-term challenges of achieving culture change within public authorities.⁹

Beyond the direct impact on people's housing conditions, the project has also had wider recognition, both nationally and internationally, as an example of good practice in taking a human rights based approach.

6.5.4 Health and Social Care

The remit of the Health and Social Care Action Group was to enhance respect, protection and fulfilment of human rights to achieve high quality health and social care.

From an early stage, this Action Group conceptualised their work according to a 'hub and spoke' model.

- a) *Hub* work was completed by the Action Group and so any progress or impact could be entirely credited to SNAP.

⁹ See https://youtu.be/_dU44dlGsaA

- b) *Spoke* work was activity inspired by SNAP and/or taken forward by individual Action Group members in their own working contexts. Progress and impact could be indirectly credited to SNAP.

These two approaches have been mapped.

6.5.4.1. Action Group 'Hub' Activities

Impact Map: Health and Social Care Action Group Hub Activities

The map is illustrative rather than exhaustive of the activities performed by the group.

The hub work of the Health & Social Care Action Group was outcome-orientated. It was a responsive set of activities, taking opportunities to respond to national debates and influence change. It also strongly built on the expertise and knowledge of the group. This Action Group critically formed a space between like-minded organisations which led to close working.

6.5.4.2. Action Group 'Spoke' Activities

Impact Map: Health and Social Care Action Group Spoke Activities



The map is illustrative rather than exhaustive of the activities performed by the group.

Like other spoke activities, these actions are a good example of the benefits of flexible collaboration between Action Group members and, in some cases, wider stakeholders.

Taking this approach enabled a broader range of actions to be taken forward than the Action Group could have done on its own. It also enabled the Action Group to capitalise on the already-established commitment to, and understanding of, human rights in the context of health and social care. Individual actions themselves were also perceived as valuable in fulfilling the Action Group's remit.

For example, six case study videos were produced showing human rights in practice in health and social care settings. These videos are more accessible for rights holders, feature rights holders themselves, and are an explicit mechanism used by the Action Group to promote the voices of right holders.

Working with Strathclyde University, the Mental Health Foundation, Glasgow Homelessness Network, the Commission and the Alliance, NHS Health Scotland commissioned a series of inter-related works. The main report 'What do you mean I have the right to health?' used interviews with 80+ rights holders with direct experience of homelessness and asylum seeking or being a refugee. In turn this report was synthesised into a case study and used by the Action Group to help rights holders understand the support they should receive from health and social care services.

Spoke activity also included a pilot project with a health and social care partner to trial human rights budgeting. The pilot was exploratory and not successful, but the pilot did produce learning that could inform further work.

6.5.5 Justice and Safety

The remit of the Justice and Safety Action Group was to enhance respect, protection and fulfilment of human rights to achieve justice and safety for all.

Two activities have been analysed and combined into one map as both involve the same key duty bearer – Police Scotland. The left half of the map represents the Stop & Search work, and the right side, the embedding of the

Human Rights Approach into training materials for new recruits into Police Scotland.

Getting it Right? highlighted some concerns around stop and search practices in Scotland including disproportionate use with specific population groups. International concern was also growing as both the UN Committee for the Elimination of Racial Discrimination (2003) and the UN Human Rights Committee (2008) noted the rise in incidence.

6.5.5.1. Justice and Safety Action Group Map

Impact Map: Justice & Safety Action Group

- STOP & SEARCH

Scottish Government
Push for new legislation
And deliver in partnership
With Police Scotland and others

A human rights lens was used to focus on the issue of non-statutory stop and search (so-called consensual stop and search). The Action Group convened an accountability-focused roundtable meeting for rights holders and duty bearers. This provided the opportunity for rights holders and wider stakeholders to question Police Scotland on the legitimacy of this practice and to draw attention to the human rights concerns it raised.

Following this, a range of activity beyond SNAP also took place to pursue change to law and practice in this area. Many of the year two, three and four interviews reflected the significance of the discussions that took place within the Justice & Safety Action Group. These discussions are credited by Police Scotland and others for helping Police Scotland use a human rights lens and placing the evolution of the legislation within their own framework of 'serving justice'. That is, the legislation itself is responding to the international pressure from the human rights community and the practice of implementing the

legislation has addressed human rights considerations. For example, a member of a different Action Group:

I saw some of the publicity around [Stop & Search], I think it has resulted in a real change as far as Stop and Search is concerned. Police Scotland have been challenged on a lot of their practices and they've changed, I'd say that's a positive outcome.

Year 4 interview: Better World AG

In parallel, work was also taking place to embed human rights into training of new Police Scotland recruits, including Special Police. This demonstrates how involvement in SNAP for duty bearers can include both challenge and accountability, and support for cultural change. Meetings between the Commission and Police Scotland helped develop the right materials. As well as embedding human rights into the training materials, the organisation is ambitious to see all training deliver the human rights message.

Say [the course] is about leadership, for the first 3 minutes of that course all we do is remind them of their values of human rights and our code of ethics ... and it all just underpins the Human Rights Act and so that's my challenge to take that forward and keep it alive and fresh in everybody's minds as we move towards that rights-based policing model.

Year 4 interview – Justice & Safety AG

6.6 Conclusions

Action Group members valued opportunities to lead on actions, and respond to emerging challenges, rather than working only to a prescribed agenda. A balance is required.

The Hub and Spoke model developed by the Health and Social Care Action Group was a particularly effective working method. It could also be used to encourage progress, and foster outcomes within partnering organisations, for example members challenged to deliver on one Hub activity and one Spoke activity in each year.

There has been varied evidence of impact and outcomes across the Action Groups. Factors affecting positive impact include Action Group structures, the challenge of maintaining stakeholder engagement and the availability or otherwise of sufficient resources to facilitate both the Action Group infrastructure, and delivery of actions themselves. This has led to some difficulty in progressing actions or sustaining early momentum.

There were specific difficulties faced by the Better Culture, Adequate Standard of Living and Justice & Safety Action Groups. The work of Better Culture intersected with all the Action Groups and it was difficult to negotiate a distinct and deliverable set of outcomes. The mandate given to Adequate Standard of Living Action Group was too broad in nature, with members used to working in very distinct and 'siloed' areas, usually understood within an equality framework. This made it difficult to agree on actions without excluding the concerns and expertise of many in the group. The Justice and Safety Action Group started with a strong programme but key barriers emerged with a change in co-convenors and reduction in secretariat effectively freezing progress.

Factors contributing to success in Action Groups included: significant leadership from one stakeholder; ambitions coinciding closely with those of the Scottish Government; strong pre-existing understanding of the value of human rights in the relevant context; pre-existing success in implementing a human rights approach in the relevant context; and strong leadership with significant, resourced time commitment. The next iteration of SNAP should take account of these factors; unless most or all of these conditions can be replicated, future Action Groups are unlikely to succeed.

Any changes in structure should engage explicitly with roles and responsibilities so that organisations can be fully aware of their investment before committing.

7. Was SNAP Realistic?

International best practice states that National Action Plans should be realistic in terms of resources, both in personnel and monetary terms, should take account of pragmatic constraints and be integrated into the work of relevant public authorities.

This section evaluates the degree to which SNAP met this standard.

SNAP was ambitious. In practice, it has had varying degrees of success in meeting this ambition, in part due to a lack of realism about the challenges involved in securing resources. Reflecting on this learning will be important to ensure the feasibility of a second phase of SNAP.

7.1 Resources and Pragmatic Constraints

The original intention of SNAP was for it to become self-sustaining and independent from the Commission. In reality, that proved to be an unrealistic goal in the absence of dedicated resources and commitment to the SNAP structure from other stakeholders. The Commission responded by increasing their commitment in terms of time and funding in order to maintain momentum, a move that is unrealistic to sustain. The vision of shared responsibility for SNAP being adopted by the stakeholders, via the action groups, only emerged with the Health & Social Care Action Group.

SNAP's ambitions in its first cycle were limited due to austerity and the subsequent impact on civil society. The increased precarity of organisations without a committed funding stream inhibited their participation. As this is unlikely to change significantly in the next 5 years, a second iteration of SNAP will need to accept that resources will be limited.

7.2 Integrated into the Work of Public Authorities

The horizontal nature of working was difficult for some stakeholders to adopt. Sharing power equally with others was difficult to achieve for duty bearers.

An additional challenge for duty bearers was the tension between having a role both deciding actions, and being responsible (or accountable) for delivering the resolution. There were examples of the Scottish Government, having the

strongest duty bearer status, working closely and productively as members of Action Groups to offer insights into strategy, and practical support to deliver actions in the early years of the implementation stage, but their commitment was not sustained.

The vision of full inclusion of the Scottish Government was ambitious and innovative. In practice it gave a paradoxical role to the Government that has caused tension. From the interviews, it seems that the Leadership Panel had an unfulfilled role around promoting the work of the Action Groups into Scottish Government, the Scottish Parliament, and the other major duty bearers in Scotland such as the NHS, to ensure that there was top-level recognition of the work produced.

Some kind of clearer link into Government. Some sense that somebody in there cares that we're doing it, would be good.

Year 2 interview - Better Lives Health and Social Care AG

This may be particularly true in the business sector, who would also welcome the influence of Parliament:

Within the private sector, you know, if you've got Ministers behind you, then that helps you to show how much the Government are taking it as important. If I can say that a Minister has announced that [human rights and business] is a priority for the Government, then that tends to grab [the private sector's] attention more than if I just trying to sell it myself.

Year 4 Interview – Better World AG

One suggestion for consideration in a second phase of SNAP is to have a Minister of the Scottish Parliament attend SNAP meetings at times. This level of engagement could enhance the reputation of SNAP, and build legitimacy for the work done.

As noted in section 2, the Scottish Parliament was originally envisaged as a key accountability mechanism for SNAP. Although a direct relationship existed between the Parliament and SNAP in years one and two, this was not sustained.

7.3 Conclusions

SNAP was ambitious. In practice, it has had varying degrees of success in meeting this ambition, in part due to a lack of realism about the challenges involved in securing resources. Reflecting on this learning will be important to ensure the feasibility of a second phase of SNAP.

The Commission was the key contributor of resources to SNAP, going beyond its initial expectations. This is not sustainable and the Commission particularly should be realistic about what they can commit in terms of time and resources to a second phase of SNAP.

SNAP's ambitions in its first cycle were limited due to austerity and the subsequent impact on civil society. The increased precarity of organisations without a committed funding stream inhibited their participation. As this is unlikely to change significantly in the next 5 years, a second iteration of SNAP will need to accept that resources will be limited.

Roles and expectations were not as clearly defined as they could have been, particularly for key duty bearers such as the Scottish Government and Scottish Parliament. Ensuring clarity at the outset will be important for any second phase of SNAP.

8. Was SNAP Measured?

International best practice states that National Action Plans should be measurable with commitments linked to indicators that track progress.

This section evaluates the degree to which SNAP met this standard.

The Monitoring Progress Group (MPG) was convened shortly after the launch of SNAP. Members from public bodies and academia were identified on the basis of existing expertise in relation to measurement frameworks, including importantly the Scottish Government's National Performance Framework. The group used the Theory of Change methodology that allowed a long-term aim to be identified, followed by short and mid-term aims that would help to deliver that change.

The process was complex and involved an iterative dialogue between the MPG and the Action Groups. The resulting monitoring framework was not therefore finalised until 2015. The later development of the framework had both its advantage and disadvantage. As noted earlier, the timing of the development of the monitoring framework coincided with the launch of the Sustainable Development Goals. Over 90% of the SDG targets indicators have direct or indirect relevance to the fulfilment of human rights. The delay in the development of the measurement framework allowed for the SDGs to be explicitly embedded within the long-term outcomes of SNAP and for progress towards the SDGs to help prioritise future SNAP action.

However, not having the measurement framework available to the Action Groups from the start, did in practice mean that monitoring was not at the forefront of their minds as actions were developed. In turn the key question of 'what does success look like' did not feature strongly in the development of actions. As such evidencing impact was more difficult.

Evidence from the interviews suggest that Action Group members felt the need for a formal review process, that is, a clear strategy for monitoring their progress. For example, one participant asked 'who follows up on work not done?' Accountability starts within SNAP to then legitimate its call for accountability on duty bearers.

Ideally each Action Group would be responsible for their own progress toward actions, with ultimate responsibility moving perhaps to the Co-Convenors. This

model collapsed where the co-convenor did not have time or resources to meet this commitment. While the Leadership Panel had oversight of this, they did not interfere directly with the workings of each Action Group, beyond initial pressure on some public bodies to secure attendance, in the early years.

Throughout the interviews, the Commission demonstrated fluency on the actions and progress of each Action Group. Without dedicated resources from the State to produce and support SNAP, and without a dedicated SNAP team, the Commission delivered beyond their capacity on this issue.

The framework established seven long-term outcomes (by 2030):

1. Each of us is empowered to understand and embrace the value of human rights asserting them in all parts of our lives.
2. Each of us can participate in shaping and directing decisions that affect our human rights.
3. Organisations providing public services contribute to a human rights culture by valuing and putting human rights at the heart of what we do.
4. Scotland increasingly implements its international human rights obligations, influences and learns from international experience and promotes human rights in all of its international engagements.
5. All organisations are held to account for the realisation of people's rights through international and domestic laws, regulation and monitoring.
6. Each of us has access to and can enjoy quality public services which respect our dignity, irrespective of who we are or where we live.
7. Each of us experiences improved opportunities and life outcomes whilst Scotland experiences an overall reduction in inequality of opportunity and outcomes.

Graphic illustrations of each outcome were produced to make them more accessible.

The existence of the MPG motivated some Action Group members, excited at the prospect of being able to evidence real change:

It'd be good to see both some of the hard outcomes and figures and stats, but also softer outcomes as to how it's actually improved people's lives.

Year 2 interview – Justice and Safety Action Group

The MPG produced a document 'Developing SNAP's Monitoring Framework' that analysed 16 approaches to working to achieve actions. This legitimised the approach of each action group to an extent, as examples were given to carefully unpack how the activity engaged with the outcomes identified in the SNAP document.

This work was hard to do for Action Groups and in reality, the MPG experienced challenges in developing indicators to measure progress in relation to specific actions. This was because, as discussed in section 5, Action Groups varied in their readiness to identify and take forward their actions.

It is important to note that the Commission, as in other areas, contributed significant staff time resource to the development of the monitoring framework including liaison with Action Groups. This is not sustainable for the future and consideration will need to be given to how this function is fulfilled in any second cycle of SNAP.

The SNAP Monitoring Framework is a solid foundation for measuring progress towards SNAP's long-term outcomes. However, a second phase of SNAP must include specific, measureable, time-bound, achievable and realistic indicators for individual actions, which will help to more effectively demonstrate impact. Fewer actions would also enable early work around monitoring to be developed.

8.1 Conclusions

The 2030 outcomes are a useful framework to plan the next phase of SNAP.

A consistent approach to measuring progress should be taken to all future SNAP actions, and consideration should be given to how best to structure and resource that.

Monitoring needs to be embedded into the planning of actions in any future cycle of SNAP. A second iteration of SNAP could usefully use the work of the MPG to underpin new activities towards achieving the 2030 objectives from the start and make it easier to measure progress.

The SNAP Monitoring Framework is a solid foundation for measuring progress towards SNAP's long-term outcomes. However, a second phase of SNAP must

include specific, measureable, time-bound, achievable and realistic indicators for individual actions, which will help to more effectively demonstrate impact. Fewer actions would also enable early work around monitoring to be developed.

9. Was SNAP Adequately Supported?

International best practice states that National Action Plans should be adequately supported to put their commitments into practice.

This section evaluates the degree to which SNAP met this standard.

Scottish Government, NHS Health Scotland and Police Scotland among others, agreed early on to delivering change in fairly specific areas. The work to agree these actions happened during the development phase of SNAP and may explain why some stakeholders were able to make rapid and significant progress once the implementation stage began. For others though, the SNAP document was not specific enough in identifying actions for the Action Groups to deliver, and consequent roles and responsibilities.

There was a degree of optimism in the structuring of SNAP. The workload of convenors was not explicitly explored and some organisations were able to facilitate a larger commitment than others. The inclusion of civil society requires a meaningful time commitment to SNAP, but this cannot be dictated by anyone other than the organisation employing the person concerned. This proved to be a barrier in the first iteration of SNAP for the progression of some Action Groups, and may be enough to prevent the AG model working in a second iteration.

The Commission have invested many hours, and finances into SNAP and this is not sustainable over time. SNAP is under-resourced by the State compared with National Action Plans globally. State investment could address many of the issues outlined here.

Such resources can only be secured with greater engagement and practical commitment from the Scottish Government as the key duty bearer. The work of SNAP though, is experimental and exploratory in nature, and this requires time and money, and the right to fail, in order to arrive at success. The nature of this approach requires understanding and a flexible approach to investment and resourcing.

Progress on human rights outside SNAP has been significant: the Scottish Government's National Performance Framework re-launched in 2018 included a human rights outcome: 'We respect, protect and fulfil human rights and live free from discrimination'. This is a significant move which places impetus on the Scottish Government to demonstrate its progress towards realising human rights. A future iteration of SNAP should be an important vehicle for action in this regard.

9.1 Conclusions

SNAP did not have adequate support to put commitments into practice. In a second cycle of SNAP, focus must be given to structural reform and greater financial support is required.

SNAP is under-resourced by the State compared with National Action Plans globally. State investment could address many of the issues outlined here.

For a National Action Plan to have significant traction in Scotland, the most senior members of the Scottish Government should be committed and empowered to support and resource actions.

Growing support from the First Minister and the Scottish Parliament generally for Human Rights has been notable in recent years. This must continue and be reflected in the support made available to SNAP to put commitments into practice.

Further connections should be drawn between SNAP and the National Performance Framework. In particular, indicators for the human rights outcome should reference SNAP.

10. Was SNAP Monitored and Reviewed?

International best practice states that National Action Plans should be adequately monitored and subject to regular independent review.

This section evaluates the degree to which SNAP met this standard.

Section 8 has already captured and discussed the role of the Monitoring Progress Group in developing long-term outcomes and an associated measurement framework for SNAP.

This section will focus on internal monitoring and accountability for actions, and the use of external communications as a form of transparency allowing external stakeholders and rights holders to monitor and scrutinise SNAP's progress. It will end with a brief examination of this evaluation as a monitoring instrument.

10.1 Internal Monitoring and Accountability

Internal monitoring and accountability for actions was made more difficult because of challenges involved in outlining and quantifying the commitment required by members of the Action Groups. This relates to earlier discussions about the lack of clarity about roles and expectations within Action Groups. The absence of an 'expected workload' allowed members, even members who felt fully 'committed' to not produce work around actions because they didn't have time, or because there were other resource issues.

I'm not complaining about the level of commitment but there was a period of adjusting to what was needed rather than what I thought might have been needed. So I had to adjust

Year 2 interview – Justice and Safety Action Group

Where time resource and commitment was left undefined, the Commission, Action Group convenors or the Leadership Panel had little traction in asking for work to be completed.

We're not demanding enough of people as partners in this process, partly because we haven't been clear enough about what we expect them to contribute.

Year 2 interview - Better Culture Action Group

A contrasting example was provided in the Health and Social Care Action Group where both convenors were equally committed, provided comparable time commitment to the Action Group, and had institutional support to do so. They had identified actions, and had progressed these into projects by the end of year one of SNAP and continued to be engaged and usefully productive throughout.

A second cycle of SNAP should consider how best to integrate internal monitoring and accountability structures into action planning and delivery. Ensuring clarity of roles, commitments and resources available at the outset would help in this regard.

10.2 External Communications

SNAP did not launch with a clear communication strategy in place. Communications approaches evolved during phase 1 with support and resources provided by the Commission's communications team.

This work included the production of annual reports on SNAP, including schematics, graphics and narrative descriptions of actions and impact, and the hosting and development of a basic website – www.snaprights.info.

Visual case studies were also developed in year three, making SNAP familiar and accessible to professional stakeholders not directly involved in SNAP, as well as rights holders.¹⁰

As well as visualisations, videos and social media were increasingly used. The use of hashtags allowed the promotion of key activities, and monitoring of the reach of these activities.

As well as the Commission investing in effective communication, the Health and Social Care Action Group made use of one of their members who had a communications role within the NHS.

¹⁰ See <http://www.snaprights.info/what-is-snap/year-three-report-and-case-studies>

A video of the housing project (see section 6.5.3) was produced and shown at a reception for around 100 stakeholders in the Scottish Parliament in December 2016. This powerfully presented the continuing barriers and challenges facing tenants living in social housing, who were working to realise their right to an adequate standard of living.

The Commission was invited by Nils Muižnieks in his capacity as Human Rights Commissioner for the Council of Europe to present to European partner organisations on their communication strategy for SNAP, demonstrating the strength and value of this work to the global community.

A clear and useful communications strategy is essential for a project like SNAP, where activities can be fairly hidden, allowing others to monitor and keep up with developments. Communications about SNAP was resourced by the Commission in the first cycle, which is not sustainable. In the next iteration of SNAP, a clear remit and dedicated resources for communications would help to make achievements transparent to influencers, stakeholders and rights holders.

10.3 Conclusions

The Commission led on monitoring the success of SNAP and communicating it externally, taking responsibility for forward momentum, expending time and resources that it cannot sustain.

The Monitoring Progress Group (convened by the Commission) produced essential work. This work would, however have had more reach had the Monitoring Framework been developed and launched alongside the first iteration of SNAP. This work provides a strong foundation to measure the progress of a SNAP 2, using the 2030 objectives.

A second cycle of SNAP should consider how best to integrate internal monitoring and accountability structures into action planning and delivery. Ensuring clarity of roles, commitments and resources available at the outset would help in this regard.

A highly effective communication strategy was evident, increasing in prominence over the course of SNAP and foregrounding the use of visuals that helps many see the value and relevance of human rights.

Incorporating such visuals into reporting documents such as annual report increasingly makes these accessible to a broader range of stakeholders including rights holders. This is essential to allow monitoring of progress by rights holders.

The SNAP website could be used more as a repository of intended actions and demonstrable outcomes.

Communications about SNAP was resourced by the Commission in the first cycle, which is not sustainable. In the next iteration of SNAP, a clear remit and dedicated resources for communications would help to make achievements transparent to influencers, stakeholders and rights holders.

In terms of this evaluation itself, a qualitative approach has successfully caught, and critically evaluated, the impact achieved by all Action Groups, with the added facility of demonstrating barriers to impact and to reflect on what worked well in practice. The time and economic investment in this work has been significant, and this may be a deterrent to using this methodological approach in future.

11. Key Findings and Recommendations

This section draws together the conclusions from each of the sections and can be used as a summary of key findings and recommendations.

Was SNAP Evidence-Based?

The baseline evidence provided by Getting it Right? demonstrates international best practice both because it was drawn from multiple data sources and validated by an inclusive, participatory process.

The inclusive and participatory nature of this work also paved the way for participation in SNAP's delivery and implementation.

The use of GiR as a living document ensures that the current work of SNAP continues to be informed by a credible and extensive evidence base.

Should the Commission become less involved in SNAP, attention should be given to ensure the curation of GiR, as a living document, is open and available to those leading on SNAP actions and initiatives.

Was SNAP Inclusive?

In part, SNAP has been an inclusive project involving increasing members of civil society, rights holders and duty bearers. However, participation of people with lived experience was more difficult to achieve as SNAP moved into implementation. Attempts to increase and improve access to people with lived experience have been extensive. However, a shared view of SNAP participants is that more involvement would strengthen overall inclusivity.

The Adequate Standard of Living Reference Group has successfully collaborated to produce a number of actions, including responses to Government consultation, and working alongside other Action Groups. They remain a strong example of the value of including people with lived experience, and this group should continue with its current strategy for greater inclusion.

Immediate reimbursement of costs has been highly valued by those with lived experience, but this financial support appears to have come exclusively from the Commission, and sharing of the responsibility for this investment would be helpful.

There is strong evidence that limited resources, compounded by austerity, and the consequent precarity experienced by those working in civil society had a negative impact on SNAP. Despite wanting to be active members, many were unable to commit the time and energy they wanted to. Without a significant shift in UK policy, a funding stream is required to fully and meaningfully involve civil society in SNAP.

Where structural funding was forthcoming (for example to support the day a week investment of the co-convenors of the Health and Social Care Action Group) successful delivery of actions and outcomes was improved.

Innovation Forums have successfully acted as a genuine method for people with lived experience to meaningfully engage with SNAP and from which to encourage participation in other SNAP structures such as the Reference Group. They were also a useful way of getting people involved in action development with those in a position of power, and as a way of recruiting people to give longer-term commitment to SNAP.

Innovation forums are key to promoting the achievements of SNAP and recruiting new members with lived experience and should continue.

Was SNAP Committed to by Key Stakeholders?

The Commission has been a driving force behind SNAP, building expertise, advancing their evidence base, and as is discussed in later Sections, developing a number of actions, a communications strategy and hosting events, whilst also delivering outcomes and impact.

The growing global reputation of Scotland's National Action Plan and the contribution of the Commission are blended to the extent that further iterations of SNAP are strengthened, in terms of global esteem and recognition, with the Commission's continued involvement and leadership.

Early hopes that SNAP would be self-sustaining with both leadership and sustained structural investment from beyond the Commission have not emerged with the exception of the Health and Social Care Action Group.

Many co-convenors of Action Groups were unable to sustain their commitment because of changing roles and pressures from their employers, and representatives of the Scottish Government were particularly susceptible to such role changes.

There have been examples of commitment and support from the Scottish Government, but this does not appear to be consistently given, and has reduced over time.

Fulfilling actions requires meaningful investment from duty bearers including the Scottish Government, to be open to prioritising bodies of work (that may not align with their own institutional priorities); to investing in pockets of work (particularly where the voluntary sector have a role to play given the precarity of that sector); and being visibly supportive of the progress of SNAP demonstrable by their time and energy.

Renewed commitment to SNAP from the Scottish Government would be valuable. To have this reinforced by the Scottish Parliament would also help.

There was evidence of growing tension in the role taken by the larger duty bearers as SNAP was implemented. Early interviews indicated that duty bearers were able to adopt a role of co-collaborator to problem solve key challenges. This role is in tension with an emergent (or more likely the pre-existing) role of duty bearer as obligated actor to be held to account. It was difficult for duty bearers to maintain partnership working with this dual role and a second iteration of SNAP has a structural issue to resolve here: can larger duty bearers be accountable AND solution-generating?

There is strong evidence that SNAP members from civil society are keen to see SNAP continue.

Was SNAP Action-Orientated?

Action Group members valued opportunities to lead on actions, and respond to emerging challenges, rather than working only to a prescribed agenda. A balance is required.

The Hub and Spoke model developed by the Health and Social Care Action Group was a particularly effective working method. It could also be used to encourage progress, and foster outcomes within partnering organisations, for example members challenged to deliver on one Hub activity and one Spoke activity in each year.

There has been varied evidence of impact and outcomes across the Action Groups. Factors affecting positive impact include Action Group structures, the challenge of maintaining stakeholder engagement and the availability or otherwise of sufficient resources to facilitate both the Action Group infrastructure, and delivery of actions themselves. This has led to some difficulty in progressing actions or sustaining early momentum.

There were specific difficulties faced by the Better Culture, Adequate Standard of Living and Justice & Safety Action Groups. The work of Better Culture intersected with all the Action Groups and it was difficult to negotiate a distinct and deliverable set of outcomes. The mandate given to the Adequate Standard of Living Action Group was too broad in nature, with members used to working in very distinct and 'siloed' areas, usually understood within an equality framework. This made it difficult to agree on actions without excluding the concerns and expertise of many in the group. The Justice and Safety Action Group started with a strong programme but key barriers emerged with a change in co-convenors and reduction in secretariat effectively freezing progress.

Factors contributing to success in Action Groups included: significant leadership from one stakeholder; ambitions coinciding closely with those of the Scottish Government; strong pre-existing understanding of the value of human rights in the relevant context; pre-existing success in implementing a human rights approach in the relevant context; and strong leadership with significant, resourced time commitment. The next iteration of SNAP should take account of these factors; unless most or all of these conditions can be replicated, future Action Groups are unlikely to succeed.

Any changes in structure should engage explicitly with roles and responsibilities so that organisations can be fully aware of their investment before committing.

Was SNAP Realistic?

SNAP was ambitious. In practice, it has had varying degrees of success in meeting this ambition, in part due to a lack of realism about the challenges involved in securing resources. Reflecting on this learning will be important to ensure the feasibility of a second phase of SNAP.

The Commission was the key contributor of resources to SNAP, going beyond its initial expectations. This is not sustainable and the Commission particularly should be realistic about what they can commit in terms of time and resources to a second phase of SNAP.

SNAP's ambitions in its first cycle were limited due to austerity and the subsequent impact on civil society. The increased precarity of organisations without a committed funding stream inhibited their participation. As this is unlikely to change significantly in the next 5 years, a second iteration of SNAP will need to accept that resources will be limited.

Roles and expectations were not as clearly defined as they could have been, particularly for key duty bearers such as the Scottish Government and Scottish Parliament. Ensuring clarity at the outset will be important for any second phase of SNAP.

Was SNAP Measured?

The 2030 outcomes are a useful framework to plan the next phase of SNAP.

A consistent approach to measuring progress should be taken to all future SNAP actions, and consideration should be given to how best to structure and resource that.

Monitoring needs to be embedded into the planning of actions in any future cycle of SNAP. A second iteration of SNAP could usefully use the work of the MPG to underpin new activities towards achieving the 2030 objectives from the start and make it easier to measure progress.

The SNAP Monitoring Framework is a solid foundation for measuring progress towards SNAP's long-term outcomes. However, a second phase of SNAP must include specific, measureable, time-bound, achievable and realistic indicators for individual actions, which will help to more effectively demonstrate impact.

Fewer actions would also enable early work around monitoring to be developed.

Was SNAP Adequately Supported?

SNAP did not have adequate support to put commitments into practice. In a second cycle of SNAP, either focus must be given to structural reform and greater financial support is required.

SNAP is under-resourced by the State compared with National Action Plans globally. State investment could address many of the issues outlined here.

For a National Action Plan to have significant traction in Scotland, the most senior members of the Scottish Government should be committed and empowered to support and resource actions.

Growing support from the First Minister and the Scottish Parliament generally for Human Rights has been notable in recent years. This must continue and be reflected in the support made available to SNAP to put commitments into practice.

Further connections should be drawn between SNAP and the National Performance Framework. In particular, indicators for the human rights outcome should reference SNAP.

Was SNAP Monitored and Reviewed?

The Commission led on monitoring the success of SNAP and communicating it externally, taking responsibility for forward momentum, expending time and resources that it cannot sustain.

The Monitoring Progress Group (convened by the Commission) produced essential work. This work would, however, have had more reach had the Monitoring Framework been developed and launched alongside the first iteration of SNAP. This work provides a strong foundation to measure the progress of a SNAP 2, using the 2030 objectives.

A second cycle of SNAP should consider how best to integrate internal monitoring and accountability structures into action planning and delivery. Ensuring clarity of roles, commitments and resources available at the outset would help in this regard.

A highly effective communication strategy was evident, increasing in prominence over the course of SNAP and foregrounding the use of visuals, that helps many see the value and relevance of human rights.

Incorporating such visuals into reporting documents such as annual report increasingly makes these accessible to a broader range of stakeholders including rights holders. This is essential to allow monitoring of progress by rights holders.

The SNAP website could be used more as a repository of intended actions and demonstrable outcomes.

Communications about SNAP was resourced by the Commission in the first cycle, which is not sustainable. In the next iteration of SNAP, a clear remit and dedicated resources for communications would help to make achievements transparent to influencers, stakeholders and rights holders.

In terms of this evaluation itself, a qualitative approach has successfully caught, and critically evaluated, the impact achieved by all Action Groups, with the added facility of demonstrating barriers to impact and to reflect on what worked well in practice. The time and economic investment in this work has been significant, and this may be a deterrent to using this methodological approach in future.

Appendix 1: Evaluation Remit

Objective:

To produce an independent evaluation of SNAP. This evaluation will draw on the on-going process of monitoring annual reviews and reporting, evaluating both the process and the impact of SNAP.

Terms of Reference:

In order to undertake this evaluation Dr. Ferrie, will have access to a range of primary data already (or to be) collected as part of the on-going monitoring of SNAP since 2013. This includes:

- transcripts of annual interviews with key stakeholders from all stages of the development and implementation process (Conducted by Dr. Ferrie 2013/14; 2014/15 & 2015/2016);
- summary reports of the process interviews (2014 & 2015);
- three SNAP annual reports (Years 1,2 and 3);
- minutes from Action Groups meetings (where available);
- other monitoring documentation produced by Action Groups (where available);
- all available outputs from SNAP Actions;
- a report on the final year participation process (due February 2018).

Dr. Ferrie will also:

- undertake a fourth and final series of stakeholder interviews (approximately 20-25 from autumn 2017 to early 2018);
- collect final summary reports from the action groups on final year action;
- attend and observe the remaining leadership panel meetings;
- attend and observe a selection of the SNAP participatory development process meetings throughout the final year of SNAP;
- attend and observe a selection of HRAG meetings;
- attend and observe the HRBA Learning Forum (summer/autumn 2017);
- attend and observe the final SNAP Forum on SNAP 2013-17 on December 12th 2017;
- develop a series of action case-studies to show case impact (or otherwise).
- undertake a process of analysis of all available data;
- produce an interim report
- produce a final report

Appendix 2: List of interview participants 2013-2018 (by role)

2013/14 – Total Interviews: 21

Some participants were members of more than one group.

Advisory Council: 6

Drafting Group: 8

SHRC: 3

GiR Participation: 9

Research Advisory Group: 1

2014/15 – Total Interviews: 22

Some participants were members of more than one group.

Leadership Panel: 4

Co-Convenors Group: 6

Better Culture AG: 4

Better World AG: 5

Better Lives – Adequate Standard of Living AG: 3

Better Lives – Health & Social Care AG: 3

Better Lives – Justice & Safety AG: 4

Monitoring Progress Group: 2

Reference Group: Not set up.

SHRC: 2

2015/16 – Total Interviews: 15

Leadership Panel: 3

Better Culture AG: 3

Better World AG: 2

Better Lives – Adequate Standard of Living AG: 2

Better Lives – Health & Social Care AG: 2

Better Lives – Justice & Safety AG: 2

Monitoring Progress Group: 1

Reference Group/Rights Holder: 2

SHRC: 2

2017/18 – Total Interviews: 16

Leadership Panel: 1

Better Culture AG: 5
Better World AG: 3
Better Lives – Adequate Standard of Living AG: 2
Better Lives – Health & Social Care AG: 4
Better Lives – Justice & Safety AG: 3
Monitoring Progress Group: 2
Reference Group/Rights Holder: 2
SHRC: 3

Total Interviews Produced and Analysed for the Evaluation: 74

Appendix 3: List of documents reviewed.

Title	Number of Pages	Date Published (If known)
Developing SNAP Monitoring Framework	41	Aug 2016
Getting it Right?	344	Oct 2012
How to SNAP - Report	23	Mar 2015
Human Rights Based Outcomes and Indicators	3	Sep 2015
Human Rights in Practice: Health	3	Feb 2017
Human Rights in Practice: Housing	3	Feb 2017
Human Rights in Practice: Poverty	3	Feb 2017
Indicator Bank	4	April 2016
Outcome Graphics	6	Oct 2016
Participant response Report – Individual and Organisation Responses	376	-
Script Outline for Participatory Outcome & Indicator Work with AGs	1	June 2014
SNAP	54	Dec 2013
SNAP Action Methods	18	April 2016
SNAP Executive Summary	4	Dec 2013
SNAP Governance Re: Monitoring Progress	3	-
SNAP Monitoring Framework	12	May 2016
SNAP Overview – Launch Presentation	11	Dec 2013
SNAP Participation Report	48	July 2013
SNAP Year One Report	44	Dec 2014
SNAP Year Two Report	48	Dec 2015
SNAP Year Three Report	8	Dec 2016

Appendix 4: Abbreviations & Acronyms

AC	Advisory Council – leadership group developing SNAP
AG	Action Group – Unit of the SNAP delivery
BME	Black or Minority Ethnic
COSLA	Convention of Scottish Local Authorities
EHRC	Equality & Human Rights Commission
ETF	Edinburgh Tennant’s Federation
GiR	Getting it Right? – Evidence base that informed SNAP
HRA	Human Rights Act
LGBTQ+	Often self-identifying categories that denote alternatives to heterosexuality or heteronormative identities
LP	Leadership Panel – leadership group delivering SNAP
MG	Monitoring Group – Unit of the SNAP delivery
NAP	National Action Plan
MHS	National Health Service
SCCYP	Scottish Commissioner for Children and Young People.
SCVO	Scottish Council of Voluntary Organisations
SHRC	Scottish Human Rights Commission, referred to here as ‘the Commission’
SNAP	Scotland’s National Action Plan
STUC	Scottish Trade Unions Congress

Appendix 5: Membership of the Drafting Group and Advisory Council

Drafting Group

Amnesty International

COSLA

Care Inspectorate

Equality and Human Rights Commission – Scotland

Health & Social Care ALLIANCE

NHS Health Scotland

Scotland's Commissioner for Children and Young People

Scottish Council for Voluntary Organisations

Scottish Councils Equality Network

Scottish Government

Scottish Trade Unions Congress

Scottish Human Rights Commission

Advisory Council

Professor June Andrews, Director of Dementia Services Development Centre, University of Stirling.

Dr Rowena Arshad OBE, Head of the Institute for Education, Community and Society, University of Edinburgh.

Mark Bevan, formerly Scotland Director, Amnesty International UK.

Rev Dr. Graham K. Blount, Minister, St Enoch's Hogganfield Parish Church.

Tressa Burke, Chief Executive, Glasgow Disability Alliance.

Michael Chalmers, Director of the Office of the Advocate General for Scotland and solicitor to the Advocate General for Scotland.

Michael P. Clancy OBE, Director of Law Reform, Law Society of Scotland.

Catriona Dalrymple, Head of Policy Division, Crown Office.

Allun Evans, Director of the Scotland Office, Her Majesty's Government.

John Loughton, Former Chair of Scottish Youth Parliament, Director of Dare2Lead.

Rory Mair, Chief Executive, Convention of Scottish Local Authorities.

Professor Kathleen Marshall, Child Law Consultant.

Jim Martin, Scottish Public Services Ombudsman.

Dr Jim McCormick, Scotland Adviser to Joseph Rowntree Foundation.

Ian McKay, Chair of Institute of Directors for Scotland.

Professor Alan Miller, Chair of Scottish Human Rights Commission.

Alastair Pringle, Scotland Director, Equality and Human Rights Commission.

Jacquie Roberts OBE, Former Chief Executive of the Scottish Care Commission and Care Inspectorate.

Judith Robertson, Head of Oxfam Scotland.

John Scott QC, Vice-Chair (Crime) of Society of Solicitor Advocates, Chair of Howard League for Penal Reform.

Dr Marsha Scott, Convener, Engender Scotland.

Martin Sime, Chief Executive, Scottish Council for Voluntary Organisations.

Grahame Smith, General Secretary, Scottish Trades Union Congress.

Ken Thomson, Director General, Strategy & External Affairs, Scottish Government.

Lynda Towers, Solicitor to the Scottish Parliament, Chair In-House Lawyers Group and member of Law Reform Group of Law Society of Scotland.

Professor Rebecca Wallace, Professor of International Human Rights and Justice, Robert Gordon University Aberdeen.

Duncan Wilson, Head of Strategy and Legal at the Scottish Human Rights Commission, served as Secretary to the Advisory Council and Drafting Group, and led the Project Team which developed SNAP.

Appendix 6: Membership of the Leadership Panel, Action Groups and Monitoring Progress Group.

Leadership Panel

Professor Alan Miller Chair, Scottish Human Rights Commission

Dr. Alison Elliot Former Convenor of Scottish Council for Voluntary Organisations

Alex Cole-Hamilton Former Chair, Together – The Children’s Rights Alliance for Scotland

Alison Petch Director, Institute of Research and Innovation in Social Services

Dr. Andrew Fraser Director of Public Health Science, NHS Health Scotland

Annette Bruton Chief Executive, Care Inspectorate

Dave Moxham Deputy General Secretary, Scottish Trades Unions Congress

Ian Welsh Chief Executive, Health and Social Care ALLIANCE

James Fowlie Director of Integration and Development, Convention of Scottish Local Authorities

John Hutchison MBE Chair, Scottish Rural Parliament

John Scott QC Vice Chair,

JUSTICE Scotland Executive Committee; Vice President, Society of Solicitor Advocates

John Wilkes Chief Executive, Scottish Refugee Council

Judith Robertson Director, see me; Chair, Scottish Refugee Council

Kaliani Lyle Scotland Commissioner, Equality and Human Rights Commission

Dr. Lindsay Burley CBE Chair, Scottish Association for Mental Health

Louise MacDonald Chief Executive, Young Scot

Marsha Scott Chair, Engender

Rev. Martin Johnstone Priority Areas Secretary, Church of Scotland; Secretary, Poverty Truth Commission

Dr. Rowena Arshad OBE Head of the Institute of Education, Community and Society, University of Edinburgh

Sally Witcher CEO, Inclusion Scotland

Sarah Davidson Director General Communities, Scottish Government

Siobhan Reardon Programme Director – Scotland, Amnesty International UK

Steve Allen Deputy Chief Constable, Police Scotland Professor

Tahseen Jafry Director, GCU Centre for Climate Justice

Tam Baillie Scotland’s Commissioner for Children and Young People

Tim Hopkins Director, Equality Network

Better Culture Action Group

Amnesty International UK
Care Inspectorate
City of Edinburgh Council
Convention of Scottish Local Authorities
Engender
Equality and Human Rights Commission
Human Rights Consortium Scotland
Independent Living in Scotland Project
Office of Scotland's Commissioner for Children & Young People
Police Scotland
Scottish Councils' Equality Network
Scottish Council for Voluntary Organisations
Scottish Government
Scottish Human Rights Commission
See Me

Better Lives – Health & Social Care Action Group

Convention of Scottish Local Authorities
Equal and Diverse
Health and Social Care ALLIANCE
Independent rights-holder with lived experience
Joint Improvement Team,
Scottish Government
NHS Health Scotland Scottish Consortium for Learning Disability
Scottish Human Rights Commission
Scottish Recovery Network

Better Lives – Justice & Safety Action Group

Crown Office and Procurator Fiscal Service
Equality and Human Rights Commission
Faculty of Advocates
Justice Scotland
Law Society of Scotland
Police Scotland
Scottish Court Service
Scottish Government
Scottish Human Rights Commission
Scottish Legal Aid Board
Scottish Prison Service
Scottish Refugee Council

Together Scotland
University of Edinburgh
Victim Support Scotland

Better Lives – Standard of Living Action Group

Citizens Advice Scotland
Convention of Scottish Local Authorities
Engender Equality and Human Rights Commission
Faith in Communities
Glasgow City Council
Glasgow Disability Alliance
Poverty Alliance
Scottish Government
Scottish Human Rights Commission
Scottish Refugee Council
Shelter Scotland
STUC

Better World Action Group

Amnesty International UK
Engender
Equality and Human Rights Commission
Royal Bank of Scotland
Scottish Carbon Capture Storage
Scottish Catholic International Aid Fund
Scottish Enterprise
Scottish Government
Scottish Human Rights Commission
Together Scotland

Monitoring Progress Group

Diane McGiffen, Audit Scotland
Equality and Human Rights Commission
Konrad Zdeb, The Improvement Service
Erica Wimbush, NHS Health Scotland
Scottish Government (National Performance Unit)
Scottish Human Rights Commission
Independent academic, University of Edinburgh
Dr Robert Rogerson, University of Strathclyde
Dr Robert Black, ex-Auditor General for Scotland

