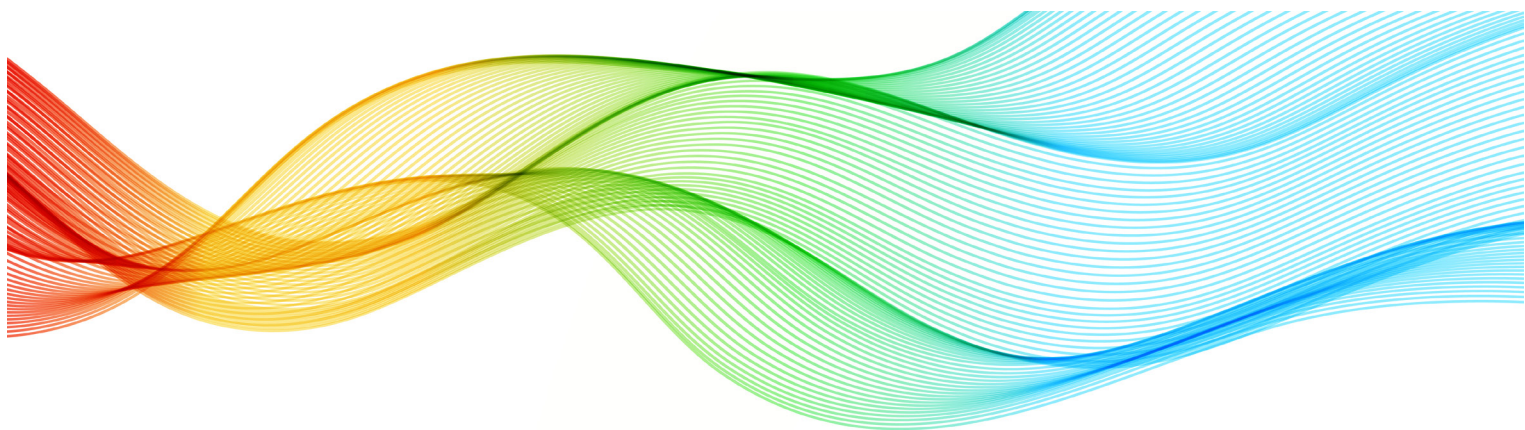


scottish borders council's equality mainstreaming

UPDATE REPORT 2013 TO 2015



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FOREWORD FROM THE CHIEF EXECUTIVE

This document presents Scottish Borders Council's Equality Mainstreaming Update Report for the period 2013- 2015. The Council is committed to tackling discrimination, advancing equality of opportunity and promoting good relations both within our workforce and the wider community. Mainstreaming equality is the process by which we will work towards achieving this as an organisation.

Mainstreaming equality is about integrating an equality perspective into the everyday work of the Council, involving managers and policy makers across all council services, in collaboration with Community Planning Partners.

Equality mainstreaming is a long term approach that aims to make sure that policy making within the Council is fully sensitive to the diverse needs and experiences of everyone affected. The approach will help to provide better information, transparency and openness in the way we make decisions about our services and resources.

We first published our Equality Mainstreaming report in April 2013, which set out the approach the Council would take to meeting the Public Sector Equality Duty.

This report provides an update on the progress we have made alongside the next steps which we will take as we continue to work at embed the Equality Duty within all our services.



Tracey Logan
Scottish Borders Council Chief Executive

FOREWORD FROM THE ELECTED MEMBER CHAMPION FOR EQUALITY & DIVERSITY

I became involved with the Council's Equality and Diversity work following publication of our first Equality Mainstreaming Report in 2013. As Chair of the Councils Equality Review group, I developed a deeper understanding of the challenges, opportunities and value the Equality Duty presents to the Council and was pleased to be appointed Equality Champion for the Council at the end of the review.

Much of my work has involved engaging with a diverse array of people from different equality groups. I have learned so much through hearing different people's experiences of living in the Scottish Borders and the varying challenges they face. This has only served to enhance my view that mainstreaming and meeting the Equality Duty within the way the Council functions is fundamentally important.

As Champion I am clear that all Council Members and Officers must take on board the importance and value of implementing all the statutory requirements such as Equality Impact Assessment. These requirements serve to ensure we are able to deliver better outcomes for everyone within the Scottish Borders.

In the last two years the Council has taken some significant steps forward to meeting the Equality Duty as highlighted within this report. It is important however that we continue to work together and show leadership to ensure we build upon this important work.



John Greenwell
Scottish Borders Council Champion for Equality & Diversity

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INTRODUCTION

‘The Equality Duty’

The Equality Act 2010 placed an equality duty on all public bodies in the United Kingdom. It consists of a general equality duty, supported by specific duties which are imposed by secondary legislation. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

‘Mainstreaming the Equality Duty’

In Scotland public bodies are required to perform a set of specific duties to assist them in meeting the general duty. Part of this requirement is to report on their efforts to mainstream meeting the general duty.

‘Scottish Borders Council’s Approach’

Scottish Borders Council published its first Equality Mainstreaming report in April 2013. This report set out the approach we would take to mainstreaming the Equality Duty and also contained our Equality Outcomes.

You can find our first mainstreaming report here: http://www.scotborders.gov.uk/info/751/equality_diversity_and_citizenship/1266/reporting_on_equality

We are required to provide an update on the progress we have made over the last two years which forms the basis of this report.

Self-Evaluation - How are we doing?

In our first Mainstreaming Report we set out our approach to embedding the equality duty within the operations and core functions of the Council.

In order to gain an understanding of how effective our work has been we have recently carried out a self-evaluation exercise in which we asked all service areas across the Council to evaluate their performance of the Equality Duty.

This evaluation forms the mainstay of this report and has provided us with the information we require to assist us in making further progress with mainstreaming the equality duty.

Are we meeting the Equality Duty?

The Council is working towards achieving full compliance with the duty across all service areas. On self-evaluation most service areas felt they were fully or partially compliant.

We asked service areas what they are doing to meet the duty and here is what they said:



We have policy in place to guide us



We have been undertaking specific pieces of work targeted at meeting the duty



We have been improving accessibility and making reasonable adjustments



We have been undergoing training to help us better understand and meet the Duty



We have been providing opportunities for people who have an equality characteristic

A Word on Policy

Having appropriate policy in place is an important part of our mainstreaming approach. It is helpful to formulate the way we do something into a policy to ensure we have a consistent, transparent and fair approach.

We have a number of different policies in place which have been developed over the last few years to assist us to meet the duty. Some of our equality policies have been developed corporately such as our Interpretation and Translation policy. Others have been developed

at service level to support specific needs. The self-evaluation exercise we carried out showed that most service areas within the Council use equality policies to assist them to meet the Equality Duty. Our next steps will be to support those service areas who have not yet done this, to develop and implement appropriate policy.



Making Equality Our Business?

Leadership

Soon after the introduction of the Council's Mainstreaming report, an Officer and Elected Member Review Group was set up. The purpose of the Group was to:

Assess the Council's position in relation to the Equality Duty

Raise the profile of the agenda

Establish leadership and governance structures

Investigate and put forward recommendations to Council to assist meeting the Equality Duty

The Review group heard evidence and experience from a variety of community groups, officers and individuals in relation to equality, diversity and service delivery.

The Review Group found a number of improvement areas and put forward a set of recommendations which the Council approved (June 2014). These recommendations have been taken into account in the development of this report and some have now been implemented including the appointment of an Elected Member Champion for Equality and Diversity and establishment of an Equality Impact Assessment Project.

'We incorporate our equality duty when planning our business, developing strategies and policies and writing reports'

A fundamental component of mainstreaming the equality duty is to incorporate it into core business functions of the Council. The majority of Council Service areas felt that they either fully or partially consider the Equality duty when carrying out these functions. Our next steps will be to ensure that all Council services areas feel confident that they are fully considering the Equality Duty within their functions.

Measuring our Performance

Taking action, being able to monitor and evidence progress is a key element of our approach to mainstreaming the equality duty. Some service areas have already established performance indicators to help them measure progress, others are starting to develop them. One of our next steps will be to ensure that all service areas have identified and are working towards suitable equality performance indicators. This will include work towards our Equality Outcomes. You can find information on the work and progress we have already made with our Equality Outcomes in Appendix one.

Inform & Engage

Data Collection

Collecting equalities data and information is extremely useful as it helps the Council to understand the people and communities we serve. We asked service areas what equality and diversity data they collected and they said they were more likely to collect equality data on age, disability, gender and ethnicity.

Some service areas in the Council do not collect any equality data. These service areas tend to perform back office functions and are not customer facing. One of our next steps will be to improve collecting data on the additional characteristics; Maternity/Paternity, Marriage/Civil partnership status, Religion or Belief, Sexual Orientation and Carer Status

"How do you use the information people give you?"

We asked service area how they use the information they collect on equality characteristics and here is what they said:



Statutory Reporting



Informing & Improving Service Delivery



Informing Our Engagement Process



To Help Us Develop Strategies and Policies

Monitoring and Evaluating our Work

Monitoring and evaluating the work we undertake is also an important factor in helping us to improve. A third of service areas have already built in consideration of the equality duty within their monitoring and evaluation. We will aim to support more of our service areas to also incorporate this within their work.

Case Study: Gypsy Traveller Initiative

An SBC supported initiative to engage with gypsy travellers has been underway since June 2010. The initiative aims to make contact with gypsy and travelling people locating on unauthorised sites in the Scottish Borders. This involves an outside specialist appointed by Scottish Borders Council making contact with gypsies and travellers when they arrive in the Scottish Borders. This work is overseen by a Gypsy/Traveller Officer Group.

The specialist engages with the community and asks about the services they may need and length of time they plan to stay for. This information is then passed on to other SBC Services and agencies including Lothian and Borders Police and NHS Borders. A *'Guide for Gypsy/Travelling People Staying on Unauthorised Sites in the Scottish Borders'* is provided to gypsy/travellers who stay on unauthorised sites that are owned by the Council. This sets out the services available to them and their responsibilities whilst staying on the site.

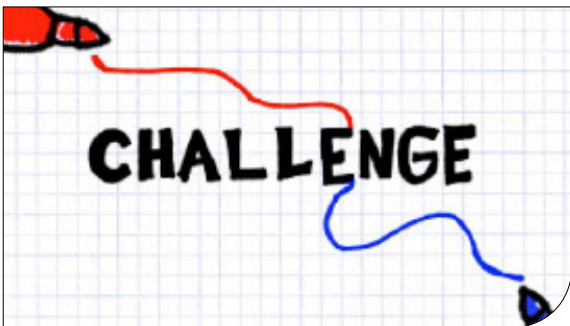
Strategy & Policy, Chief Executives Department

Consultation and Engagement

As well as collecting data we also consult and engage to inform what we do. The feedback we get from different groups of people is really valuable as it helps us develop and improve our services. Our service areas tend to focus their efforts on involving and engaging with the groups their work is likely to effect. We continue to work closely with community groups who represent the views of those with Equality Characteristics such as Elder Voice, Borders Equality Forum and Borders LGBT Forum and are grateful to these groups for their valuable contributions to our work.

Equality Impact Assessment

Equality impact assessment is an important aspect of the specific duties. Over the last few years we have been developing our approach to equality impact assessments. All Council service areas are required to carry out the impact assessment process when writing and developing strategies and policies; and when designing services; when financially and business planning.



Getting to grips with conducting the process in an appropriate way has been challenging. Our original process was unwieldy and cumbersome which left officers struggling to understand how and when to apply it to their work. We have been working to improve this situation. We have in place a project team who are currently working on refining the process so that it works better internally within the Council. Our next steps will be to implement the new process and increase the numbers of good quality impact assessments the council produce and publish.

'We need some training'

In order to ensure that we are fulfilling the requirements of the duty and use the equality impact assessment process in the best possible way, we recognise that Council officers and elected members require training to empower them with the skills and knowledge they need. We have developed our own bespoke training package with some officers now trained in the new process. Our next steps will be to ensure all appropriate officers and Elected Members are trained.

Accessibility

Improving accessibility is a key part of our approach to mainstreaming the Equality Duty. This can mean making physical changes and adaptations, designing and delivering our services in different ways or changing our approach to a particular issue or scenario.

Last year over two thirds of Council service areas said they had made specific adjustments to accommodate different needs when delivering their services. We continually strive to improve accessibility to ensure that those who need to access our services can.

Case Study

Childcare Support for Course Attendees

We provide a creche facility for participants on the Health Issues in the Community course. This allows those with childcare responsibilities to participate. We have also provided additional support for a participant whom English is a second language to enable them to gain accreditation.

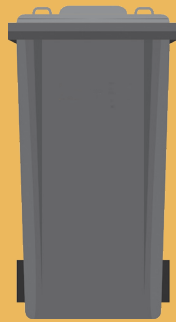
[Joint Health Improvement,](#)
[Chief Executive Department](#)



Case Study: Assisted Waste Uplift Service

This service is available to householders who are unable to present their wheeled bins for collection due to a disability or health related condition. A qualifying assessment is undertaken prior to the service being offered to the relevant householder.

Waste Services supply stickers which are located on the wheeled bins, ensures the refuse operatives that the property qualifies for an assisted uplift. The refuse operatives then remove and return these bins to the agreed location



Neighbourhood Services,
Place Department

generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment.

The Council procure quite a number of goods and services, last year 66% of service areas said they had procured something. The Council procurement service supports service areas to procure the things they need through following fair and thorough process.

Equality clauses are built into the tendering and purchasing processes at SBC. Contracts and processes contain details which ensure non-discrimination and encourage activity with Third Sector and Supported Businesses. These clauses are monitored via contract management over the life of the relationship with the Supplier.

Procurement and Payment Services

The Council buys (procures) Supplies, Services and Works to the value of approximately £130 million per annum.

[proh-kyoor-muhnt] – “The act of obtaining or buying goods and services/works. The process includes preparation and processing of a demand as well as the end receipt and approval of payment”.

Public procurement is the process by which public bodies acquire goods, services and works from third parties (“Suppliers”) to meet customer and service user needs. Procurement covers all activities from identification of a requirement through to the end of the useful life or disposal of an asset.

There is now much greater emphasis on Sustainable Public Procurement. This is the process whereby the Council meets its need for goods, services and works in a way that achieves value for money on a whole life basis

Community Benefits

SBC Procurement have recently implemented a new “Adding Value to Communities through Procurement” policy which aims to provide additional benefit beyond the core purpose of a contract opportunity to help maximise the impact of our spending on the local community. This is achieved through the inclusion of specific clauses in contracts known as community benefit clauses.



Mainstreaming the Equality Duty as an Employer

Scottish Borders Council is committed to promoting equality and diversity and a culture that actively values difference. We recognise that people with different backgrounds and experiences can bring valuable insight and skills to the workplace which enhance the way we work.

The Council aims to be an inclusive organisation, where diversity is valued, respected and built upon. This helps us to recruit and retain a diverse workforce that reflects the communities we serve.

How do we promote Equality of Opportunity within employment?

The Council aims to provide equality of opportunity and facilities which support the needs of its diverse workforce and job applicants. Our Employee Development Application (EDA) – gathers information on any ‘special requirements’ staff may have – e.g. wheelchair access, hearing/sight difficulty, dietary needs, etc. ensuring all staff can benefit from the numerous learning and development opportunities.

Example 1

We have considered the needs of different religious groups and their observance during the working day and have where necessary made available a private space for prayer.

In addition we have:

Introduced a new Dignity and Respect policy	Developed an Equal Pay policy
Are developing Mental Health First Aiders for the workforce	Occupational Health Services providing additional Counselling
Equality Impact Assessment training	An e-learning programme
Monitoring training for managers to support apprenticeship placements	Linked equality employee data to our HR information and technology systems
Equality Performance Indicators (PI) in our business plans	Achieved Investors In People (IIP)

Training and Development

Human Resources (HR's) Organisational Design and Development Team try to ensure that learning and development opportunities are available and accessible to all staff working throughout the Council. The delivery of training has changed substantially offering greater opportunities for learning and development including flexibility across the Council by location; twilight, mid-morning and afternoon sessions. The most significant change has been the development of SBLearn, our e-learning platform which staff have access to at work and at home, via the intranet. Training packages include Equality & Diversity, Child Protection and Data Protection as mandatory courses.

Human Resources Policies

Through Equality Impact Assessments Human Resources (HR) has been reviewing its policies, procedures and processes to make sure they meet the equality act legislation and a full scale review is currently taking place. In addition, HR is currently reviewing Human Rights Legislation and its impact on the Council.

Example 2

Our Managers are open to requests for variations in work practices to ensure that officers of all genders are not subject to discrimination in employment opportunities due to home /private life requirements. We actively support work at home and flexible working patterns to support ever changing modern living.

Human Resources Partnership Working

The Council's Human Resources Service area continues to work in partnership with other community planning partners, such as Borders College and the Open University.

Example 3

We have provided NHS Borders with support through an agreement which provides additional capacity to enable them to take forward mainstreaming of the equality duty into their policies and working practices.

Supported Employment

In April 2013, we established a corporate Employment Support Service to improve the performance of the Council in relation to providing supported employment and working towards a workforce more representative of the general population.

Within the Employment Support Service and in partnership with HR, a Works Opportunity Policy has been agreed and implemented through the establishment of a Steering Group. In the financial year 2014-15 25 Modern Apprentices have been employed by Scottish Borders Council and it is planned for a further 36 for 2015-2016. As part of on-going organisational change within the Council. We plan to encourage more placements as part of our organisation change and development plan, which will help to capitalise on available skills and talent.



Case Study:

A Stepping Stone to Employment - Modern Apprentice Human Resources



Profile

Name: Scott Hamilton

Age: 18

History: Scott lives in St Boswells on a family farm. He attended Earlston High School where he gained 5 Highers. The Human Resources team at Council HQ took on Scott as a modern apprentice at the end of October 2014

Scott said: before working in Human Resources Team is a great opportunity to learn, gain experience and work alongside great colleagues. The large range of work I undertake on a daily basis will prove invaluable when it comes to my CV and future career."

"I previously applied for a role within SBC which led to attending an interview, but unfortunately I was unsuccessful. My contact details were kept on record with a view to being contacted when other suitable jobs became available. Much to my surprise it wasn't too long before I received a phone call and I was informed the modern apprenticeship scheme was open for applicants. I was encouraged to apply and I did."

"On the interview day, I felt nervous and a little apprehensive even though this was my second interview I didn't really know what to expect. After the formalities of introductions, the interview went extremely well. It was welcoming, friendly and I soon started to relax and feel comfortable. All too soon the interview was over and it felt as though I just had a chat."

"I started with SBC at the end of October 2014 and thoroughly enjoying it. I spent my first 6 weeks in Human Resources Shared Services team and then 6 weeks in Workforce Development. I am currently based within Workforce Planning where most of my time is getting to know the computer systems, workload processes (especially how things are co-ordinated). I also book training courses and tests, via email. A large part of the job is also ensuring that we have enough candidates for the training courses. I do this by analysing worksheets and data records for example checking renewal dates. Once a course is completed I add the details to Resource Link (IT system), and process the Certificates, which requires me to use the photocopier. I guess you can say that I can use a wide range of office equipment which I now feel confident managing. Throughout all of this learning, I've been mentored and well supported by my colleagues that I work alongside, so I really do

feel part of the team."

"All this makes me feel happy and good about myself. I realise that in today's current economic climate jobs are rare but I feel privileged. I've an excellent opportunity to learn, gain experience and most importantly get paid!"

"Of course all of these means that there's no weekday lie-ins. I'm up sharp helping on the farm and then mostly work 9.00 – 5.00p.m at SBC. Again, I'm lucky because I'm allowed to work flexible hours – which suits me down to the ground."

"What I like about the job is working alongside good team members. I like learning to understand the processes from start to finish as this helps me realise what's involved and how it all comes together. I would certainly recommend to friends how good the modern apprenticeship programme is. Put simply, where else could you get guaranteed employment for 15 months, a SVQ Level 2 Certificate in Business Administration and make friends".

"Its early days for me on the programme, but I'm already thinking about what happens when the programme comes to an end. Hopefully (keeping fingers crossed), I continue my employment with SBC but if not I'll have gained experience, a Level 2 Certificate and most importantly be able to demonstrate in job applications my skills, capabilities and achievements – all of which was achievable through the modern apprenticeship programme."

Senior Employment Development Officer, Alasdair Scott added: "Scott's modern apprenticeship has been a positive one for all concerned and one which will hopefully be replicated throughout the Council as more opportunities develop."

Graham Caird, Training Coordinator said, *'It's a great opportunity to have Scott working with ourselves. It enables SBC to help build for the future and gives Scott a real experience in a working environment.'*

MAINSTREAMING THE EQUALITY DUTY IN EDUCATION

Like the rest of the Council the Education service is working towards achieving full compliance with the Equality Duty. In this section you will find further specific details of the departments work to date.

What is Education doing to meet the duty?



We have policy in place to guide us



We have been undergoing training to help us better understand and meet the Duty

Policies & Strategies

In the self-evaluation, the Education service said they follow corporate policy to assist them in meeting the equality duty. They are also developing their own service area specific Inclusion Strategy to assist them to better meet the duty.

The service area was confident that the whole service area knew how and when to appropriately apply the Interpretation and Translation Policy and use these services on an 'as required basis'.

Education's Business Functions & the Equality Duty

The Education service have made a good start in building consideration of the equality duty into their core functions. In the self-evaluation the service area were confident that they

currently fully consider the Duty when writing strategies and policies. However their next steps will be to ensure that the duties are fully considered when conducting other functions such as business planning, service design and financial planning.

Measuring Our Performance

Education has not identified any specific performance indicators to measure their performance of the equality duty. However they have recently added a module to their data management software which will allow them to record incidents of bullying by protected characteristic. Their next steps will be to establish appropriate performance indicators for the Equality Duty.

Monitoring and Evaluating

The service area is confident that they have incorporated meeting the equality duties within their monitoring and evaluation frameworks

Data Collection

Education currently collects data on the following Equality Characteristics:

- Age
- Disability
- Ethnicity &
- Gender

A next step for the Education service will be to collect information on the other protected characteristics and to establish how they can use the data collection to further the Equality Duty.

Consultation and Engagement

We asked the Education service if they had involved those with equality characteristics in their work. They said they had consulted and engaged with;

- People of different ages,
- People with disabilities,
- Men and women; &
- People with different ethnicities.

Like other areas within the Council, the Education service area's next steps will be to establish ways to engage with people with other equality.

Characteristics such as people with different sexual orientations and people with different religions and beliefs.



Curriculum for Excellence

The Curriculum for Excellence has been introduced into Scottish Borders Schools. Health and Wellbeing has a central role within the new curriculum. Everyone who works within a school is responsible for helping to develop positive and respectful relationships with and between young people and for protecting their mental, emotional and social wellbeing.

All young people in our educational settings will learn about wellbeing and we will support them to develop the knowledge, understanding, skills, capabilities and attributes they need for their own emotional, social and physical wellbeing both now and in the future.



Accessibility

The Education Service have been working to promote accessibility and inclusion within learning settings. The Accessibility Strategy for Schools group is now starting to consider the next three year strategy. The Access to the Curriculum work continues with many pupils having support from the Accessibility Officer or via the Teachers of Information, Communications, Technology (ICT).

Case Study

Youth Chex funded projects including:

- The 'Citizens Advice Bureau's Young Peoples Project'. This project aimed to increase equality of access to advice and information for young people in an appropriate context and environment.
- Riding for disabled children and young people.

Case Study

Earlston High School Cluster has been working with the Children in Scotland Access All Areas project. This project which involved both staff and pupils, looks at how children and young people can be enabled to access as full a school life as possible.

OUR NEXT STEPS

Scottish Borders Council has made a good start to mainstreaming the Equality Duty as laid down by the Equality Act 2010. However on a journey to achieving better outcomes for those with equality characteristics. We will continue over the coming period to work hard to further embed the Equality Duty within our work. After a thorough analysis of our self-evaluation we have set ourselves some further milestones, these are:

Corporate:

- All service areas will establish equality duty performance indicators
- All service areas will be aware and implementing all Corporate Equality & Diversity policies
- We will develop our monitoring and evaluation protocols (both at service level & corporately)
- All service areas will use the equality impact assessment (EIA) process when carrying out core business functions
- We will improve the number of service areas who are appropriately conducting the EIA process and publishing on the website
- All service area will have officer trained in the current EIA process and requirements

Education Service:

- As above

Human Resources:

- As above; Plus
- Data Gathering - Consideration of a methodology for improving the level of data that is currently held for each of the characteristics. Specifically:
 - ◆ Recruitment
 - ◆ Grievance & Disciplinary
 - ◆ Training

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