OPERATIONAL MANAGEMENT GROUP

Six Monthly Equality Update

Background

1. This paper provides an update on the ongoing progress on equality and key developments in supporting equality and diversity activities across the Parliament. Equality is a standing item for OMG and for this purpose a six monthly report will be produced to keep members informed about current initiatives on equality and diversity. This is the first report to OMG and members are invited to note the ongoing progress and agree on any specified actions which are set out in this paper. In addition, we are keen to receive feedback on the formation of this update. Contact Aneela McKenna ext 86853.

Timing

2. This is routine. However it would be helpful to get early agreement on formalising the equality impact assessment tool within OMG papers and template. The equality impact assessment tool is due to be launched online on 1st September 2009 and should be fully implemented by the end of November 2009.

Discussion

3. Over the last six years, the SPCB has established a robust equality framework which has delivered a successful strategy for equality. It is well recognised by staff and positive steps have been taken for ensuring appropriate consideration is given to equality within SPCB’s working practices and culture. However, delivering a successful strategy should not cause any reason for complacency. Instead, it has encouraged us to reflect on what has been achieved and to strengthen our goals towards promoting equality in the Parliament. Our immediate focus is on creating a more streamlined approach to equality which concentrates on the practical delivery of equality and having the right processes in place to ensure that any potential exclusion or disadvantage is removed.

4. The key priorities are to:

- Develop an equality impact assessment process that will create a more consistent approach to consider the equality implications of any business related activity.

- Produce a revised annual report format which reflects the SPCB’s strategic plan.
- Create a revised framework for equality which reflects the new approach to equality.

- A single equality scheme which will include nine protected equality groups (race, disability, gender, age, sexual orientation, religion and belief, transgender, maternity and pregnancy and marriage and civil partnership status) and will replace the duplication and bureaucracy of the current schemes for race, disability and gender.

5. Whilst achieving these aims, the SPCB must continue to meet its legal duties as a public body which require proper training to be in place, effective policies which promote equality, formal monitoring, auditing and reporting arrangements as well as setting objectives which are supported by action plans.

6. In this report we highlight the main areas of development and the likely impact upon strategic and operational functions.

Staff Equality Audit

7. The 2009 staff audit is currently live and despite technological difficulties encountered at the outset, there has been a positive response rate from staff. If members have already completed the new form, you will be aware of some changes mainly in the “unacceptable behaviour” section which was previously titled “harassment and bullying”. This section has been revised to help gain a better understanding of the type of behaviour staff feel they are experiencing and whether it is behaviour from a member of staff, another passholder or a member of the public. Secondly, there is a new “culture and values” section that should help establish staff perceptions about the working culture and whether the values which we promote are embedded into the organisational culture. The results of this survey will be presented to SLT in November 09, with further consideration by OMG, particularly on any findings which suggest a negative impact on operational performance.

Equality Training Contract

8. Diversity Dynamics was recently appointed as the new equality training contract, which replaces the previous contract with Challenge Ltd. Diversity Dynamics is a small Scottish based firm which specialises in providing equality related training for public and private sector organisations. They have previously worked with organisations such as Audit Scotland and DEFRA and have good knowledge about the Parliament. They are due to deliver their first courses in September 2009.
Equality Annual Report

9. This year, the equality annual report was revised to reflect the SPCB’s organisational priorities highlighting some of the key equality achievements in parliamentary business, engagement, supporting members and organisational health. The report includes a new monitoring section which includes statistical information on staff and visitors. The data will be used to monitor the accessibility of our services and employment policies. In previous years, we have relied solely on staff views from the staff audit to check whether the SPCB’s policies are working in practice. The annual report data should provide a more accurate picture on how SPCB policies are being accessed and by which groups.

10. In the lead up to next year’s report, our aim is to improve the level of data, mainly in monitoring our services. Where there are offices which currently monitor equality of their services or policies, it would be helpful for us to meet with the OMG member and the relevant staff to discuss how the data they collect can be properly analysed and reported.

Equality Impact Assessment (EQIA)

11. By law, public sector bodies, including the SPCB, are required to carry out and publish equality impact assessments in relation to race, disability and gender. The purpose of EQIA is to assess whether there is likely to be any differential impact on equality groups when developing or reviewing a business activity. If it is likely to have an adverse affect, the process should help remove any barriers which could create an exclusion or disadvantage.

12. In order to meet this legislative duty, BIT has developed an online tool which has been tailored to fit with the organisation’s processes. From 1st September 2009, it will be available on SPEIR and accessed via the equality team pages.

13. Once it is launched, the intention is to build EQIA into the organisation’s core planning processes rather than a bolt on procedure. It should therefore, be a standard part of the project approval procedure for strategic and operational projects, and papers/templates for SPCB, OMG and SLT. For OMG papers/template, SDO will liaise with the OMG Secretariat to make the appropriate changes to the equality section.

Equality and Diversity Week

14. The second SPCB Equality and Diversity week will be held in November 2009 and aims to raise awareness, amongst all those working in the Parliament, on equality and diversity matters. Events
which are held during the week are designed to encourage open debate and discussion on equality issues in the Parliament.

15. For this year’s programme we are hoping to have three or four main events that will involve Members, staff and our external colleagues.

16. Suggested themes are:

- An open Strategic Leadership Team meeting on the Parliament’s Ambitions for Equality
- A conversation with XX (with a lesbian/gay theme)
- Equality and Devolution – how devolution has made an impact on equality in Scotland and other devolved countries
- Scottish Parliament Disability Equality Working Group initiative showcasing the work of key disability organisations in Scotland

17. It would be helpful for OMG members to encourage their staff to take part in the overall week. Further details will be circulated once the programme has been finalised.

Equality Schemes

18. OMG members will be aware of the legal requirement upon the SPCB to produce three equality schemes for race, disability and gender. As part of this requirement, the SPCB must report on progress every year and every three years, must review and update the full scheme in order to plan for the following three years. These have been updated and reports are available for each of the schemes. The race equality scheme action plan has also been completed and updated with new actions for 2009-2012.

Equality Bill Proposals (UK Legislation)

19. The Equality Bill was introduced in April 2009 and has set out a number of key proposals that are likely to have a significant impact on the SPCB. It will:

- Replace all 116 pieces of legislation with one Act that should help to simplify the legislation
- Extend and strengthen protection of equality groups creating nine protected areas (race; disability; gender; age; sexual orientation; religion and belief; maternity and pregnancy; transgender; and marriage and civil partnership status)
- Impose a new duty to give due regard to socio economic inequality when carrying out business, for example in the allocation of events, tours, education visits etc.

- Extend the use of positive action to recruit someone if they are currently under represented in the workforce. For example, if there is one female and one male candidate, with the same skills and ability and both successfully pass the board, if there is an under representation of women in the workforce, the female candidate can be appointed.

- Extend equality through purchasing power of public bodies by placing equality monitoring upon all contracted suppliers.

- Create a new duty for specified public bodies which will include the SPCB and cover all nine strands rather than the existing three strands on race, disability and gender.

20. Further to the proposals the UK government’s most recent consultation document on the bill suggests that the new duty will move away from specific duties requiring prescriptive processes and instead giving greater freedom to public bodies about how they should be achieved. This should avoid rigid bureaucratic processes which result from the publications of documents, such as equality schemes. However organisations will still be required to set equality objectives and set out the steps they will take to achieving them.

21. In addition, they are encouraging organisations to think long term and how equality planning can be streamlined, wherever possible incorporating it into corporate business planning, such as strategic plans, office plans and annual reports rather than in a self contained equality plan which is separate. The government considers separate plans, as such, at risk of being marginalised within organisations.

22. Our intention is to continue with developing a single equality scheme rather than building this into corporate business planning. Our schemes have not been perceived as a bureaucratic problem and have had great success in bringing about change in the way we deliver business. However, it is important that we progress alongside legislation and will gradually work towards more effective mainstreaming of equality planning in the future. This process has already begun with the development of equality impact assessment.

23. The Equality Bill if enacted into law is likely to come into effect in April 2011.
Resource Implications

24. There are no significant resource implications arising from this paper. However, the main resource is around staff time that will derive from the Strategy and Development Office whose core activity is to oversee the development of equality in the Parliament. Staff time will be required from other offices to conduct equality impact assessments and to produce monitoring information for the next annual report. Budgetary provision has been made from within the SDO budget for the provision of equality training that will be delivered to staff.

Dependencies

25. The successful delivery of equality depends on input from other offices to adopt the process for equality impact assessments, take forward their actions as set out in the equality schemes, and to attend training where it is appropriate. It would helpful for OMG to ensure that equality is being promoted at an operational level and to ensure that equality impact assessments are being carried out, once the tool has been implemented.

Equalities Implications

26. The key areas set out in this paper will have a positive impact on promoting equality in the Parliament. By streamlining the organisation’s approach to equality will ensure that it is fully mainstreamed into business planning and decision making.

Publication Scheme

27. This paper can be published under the SPCB’s publication scheme.

Next Steps

28. Following this report, next steps are to launch the equality impact assessment process and fully implement it into existing processes. SDO will offer training to staff on how to conduct EIQAs.

29. Once Equality and Diversity Week has taken place, the key focus will be to develop the single equality scheme and to consult widely with internal and external stakeholders on what the SPCB’s equality objectives should be and how these should be met.

30. SDO will be working closely with Diversity Dynamics to consider ways in which to support members in promoting equality in employment and within their constituency role.
**Decision**

31. OMG is invited to:

- Consider and agree the formation of the six monthly equality update.
- Note the progress which has been made to date.
- Note the key developments in promoting equality in the Parliament.
- Agree on meeting with SDO to discuss the development of equalities monitoring.
- Agree to encourage staff to attend events during equality and diversity week.

Strategy and Development Office  
August 2009