



OFFICIAL REPORT
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Equalities and Human Rights Committee

Thursday 17 September 2020

Session 5



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EQUALITIES AND HUMAN RIGHTS COMMITTEE
17th Meeting 2020, Session 5

CONVENER

*Ruth Maguire (Cunninghame South) (SNP)

DEPUTY CONVENER

*Alex Cole-Hamilton (Edinburgh Western) (LD)

COMMITTEE MEMBERS

*Mary Fee (West Scotland) (Lab)

Alison Harris (Central Scotland) (Con)

*Fulton MacGregor (Coatbridge and Chryston) (SNP)

*Gillian Martin (Aberdeenshire East) (SNP)

*Alexander Stewart (Mid Scotland and Fife) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Liz Barnes (Scottish Fire and Rescue Service)

Jude Helliker (Police Scotland)

Elaine Lorimer (Revenue Scotland)

Chris McCoy-Lavery (VisitScotland)

Louise McGunnigle (Highland Council)

Assistant Chief Constable Gary Ritchie (Police Scotland)

Lynda Thomson (NatureScot)

CLERK TO THE COMMITTEE

Claire Menzies

LOCATION

Virtual Meeting

Scottish Parliament

Equalities and Human Rights Committee

Thursday 17 September 2020

[The Convener opened the meeting at 09:02]

Race Equality, Employment and Skills Inquiry

The Convener (Ruth Maguire): Good morning, and welcome to the 17th meeting in 2020 of the Equalities and Human Rights Committee. Our first item of business is our third evidence session on race equality, employment and skills.

We have two panels, and I am very grateful to all witnesses for their attendance today. I welcome the witnesses on our first panel: from Police Scotland, Assistant Chief Constable Gary Ritchie, who is the lead for partnership, prevention and community wellbeing, and Jude Helliker, who is the director of people and development; Elaine Lorimer, who is the chief executive of Revenue Scotland; and Liz Barnes, who is the director of people and organisational development at the Scottish Fire and Rescue Service.

I remind members that, if they have a question for a specific witness, they should identify that witness by name, otherwise we will work to the order in which the witnesses appear on the agenda. If the witnesses consider that they have nothing to add in response to a question, they should please not feel the need to speak and should simply state that. I will then go back to the member for any follow-up questions. I ask you all to allow the broadcasting staff a few seconds in which to operate your microphones before you begin to ask your question or provide an answer.

We now move to questions. I will start by asking panel members about the impact of Covid-19, the lockdown measures and the Black Lives Matter movement, which have all brought inequalities in this country into stark focus. I want to know about race in employment in the short term and how your organisation is planning for the medium and long term. For example, has your organisation made any specific planning for your minority ethnic staff to take Covid-19 into account? I ask ACC Gary Ritchie to answer first, please.

Assistant Chief Constable Gary Ritchie (Police Scotland): Good morning. That is firmly in Jude Helliker's area. She is probably more equipped to answer that, so, if you do not mind, I will hand over to her.

Jude Helliker (Police Scotland): The impact of Covid-19 has clearly had a fairly seismic effect on all workforces, but I think it has been more so in the police workforce because of the need to ensure that we are mobilising our people effectively. Initially, like every organisation, we were affected very much by absenteeism, but we quickly mobilised our people. We have not seen any particular or disproportionate impact on our minority staff. However, we acknowledge that people with caring responsibilities and with larger families are impacted significantly.

We know that employment will be an issue. In particular, we are conscious that we will be recruiting fewer police officers. We want to reach out to some of the underrepresented groups, to ensure that we are, in the medium and long terms, recruiting from a community that is representative of Scotland.

Last week, we had an intake of 125 new recruits, 35 per cent of whom were women and 7 per cent of whom were black minority ethnic candidates. We are pleased to see such a significant increase in our BME colleagues. In the longer term, we will be looking to increase our engagement with minority ethnic communities. Over the past number of months, we have had to do that virtually because of Covid. That engagement with communities is becoming more difficult because of lockdown. However, we are seeking, during the next number of months, to go out to communities virtually and, hopefully, in person to ensure that that engagement continues and is sustained.

The Convener: You said that there has been no disproportionate impact on your minority ethnic staff in Police Scotland. Our committee has taken evidence that Covid has impacted on BME communities in Scotland, so how does Police Scotland know that that is not the case for your workforce?

Jude Helliker: There has been an impact on all of our workforce, but we are not seeing a disproportionate impact on our minority communities. One reason why we feel that we have been perhaps somewhat successful in that regard is that we have been implementing a smarter working programme that allows people to work remotely and from home. We have issued thousands of laptops to people who would not otherwise have had access to that facility to enable them to work remotely. We have been offering people more flexible working arrangements, which has helped significantly to increase the agility in the workforce. I think that we have taken a flexible and open approach to that, and we are not seeing any disproportionate impact on underrepresented groups at the moment.

The Convener: When we think of Police Scotland, I suppose that we think about operational officers and the community police officers that we see on the streets. Clearly, they cannot do their jobs from home with a laptop, so how are you ensuring that your minority ethnic officers who are keeping us all safe in our communities are not being impacted?

Jude Helliker: We have provided 15,000 mobile devices to our officers across Scotland, which has enabled a significant increase in officer engagement in communities. We are ensuring that officers are able to get out. During Covid, we have mobilised an extra 700 officers from what might have been perceived as more office-based work. Mobilising that number of officers at a time when the country was in crisis has led to a significant increase in public confidence, and that public confidence is very much increasing across all our communities.

The Convener: I see that ACC Ritchie wants to come in.

Assistant Chief Constable Ritchie: As an organisation, we have a zero-tolerance approach to hate crime, as you know. That includes any hate that is directed towards our officers, who are disciplined at ensuring that, if they experience such behaviour from anyone when they are undertaking their duties, it is recorded as a hate incident or, indeed, as a hate crime, if it merits it. That is a way of monitoring how the impact of what we have seen recently is affecting them.

The Convener: Police Scotland has information about whether its officers have faced racial hate crime and whether the levels of it have increased. Would you say that such crime has not increased during this period?

Assistant Chief Constable Ritchie: No. We have seen an increase in hate crime in some areas, but nothing disproportionately affecting police officers.

The Convener: We will maybe come back to that. I will move on to Elaine Lorimer to respond on the question of short, medium and long-term planning for minority ethnic staff.

Elaine Lorimer (Revenue Scotland): Thank you very much for inviting me to attend today. I will start first with the impact that Covid has had in the short term in our organisation, with particular emphasis on our minority ethnic staff.

As an organisation, we benefited from having the technology in place to move to remote working immediately when lockdown hit us, in March. We have been running our tax authority remotely, with the exception of one small team of staff who have to attend to manage mail for us. Unfortunately, our organisation still has white mail that comes in that

we have to deal with. As a result of that, we have not experienced any impact on sickness—we have not seen any spike in sickness among any of our staff such as I have seen reported elsewhere in relation to Covid.

A short-term impact is our having to use tech such as videoconferencing to enable us to keep our operations running. We did a risk assessment and found that, for some staff from the minority ethnic community, switching video on without warning can cause them an awkwardness as a result of their faith and the fact that they wish to wear head coverings. We have introduced a protocol ensuring that we do not use videoconferencing by default, in recognition of the impact that that can have on some of our staff.

On thinking about the medium to longer term, our board has a staffing and equalities committee and, at board level, we have looked into the diversity of our organisation. It is clear that we are lacking diversity at leadership levels and, indeed, at board level, so we want to take some positive action in relation to that. We have recruitment to the board coming up, and we want to reach out to a wider pool of candidates to enable communities who are not represented at senior levels in our organisation to have a greater opportunity to become so.

The Convener: What proportion of your workforce comes from BME communities?

Elaine Lorimer: That is an issue for us because of our size. I have noticed the challenges with data from other evidence that you have received, but the anecdotal data evidence that we have in terms of visible ethnicity is that people from BME communities account for around 5 per cent of our workforce.

The issue that we face is that we do not have adequate representation at the senior levels in our organisation—that 5 per cent is primarily at more junior levels. We are doing a lot of work to support those staff through leadership development and so on. We want to manage our talent pool as best we can by offering opportunity for development and growth, but the real challenge for our organisation is, without a doubt, how to get people in at the more senior levels, including at board level, so that we are more representative of the community that we serve.

The Convener: I think that other members will wish to probe you a little more on that. We will go to Liz Barnes.

Liz Barnes (Scottish Fire and Rescue Service): Good morning, convener. There are a couple of things that I would like to address. One of the main impacts that Covid has had is that it has slowed down our positive action strategy work and our balancing the workforce action planning,

by which I mean targeted events that were in plan for this year in relation to recruitment and engagement in local communities. That work has slowed, which will have an impact.

09:15

We are now looking to pick up that work again. We are recruiting later in the year and we will be changing our style and format to a more remote online approach. That is an immediate impact on the progress that we would like to make. I would not say that it is a huge impact, but it has just slowed that work down.

When it comes to existing staff, as with the other witnesses, we very quickly moved to a high degree of remote working for our support staff—almost entirely remote working, in fact—and we put some different operational arrangements in place for our front-line staff to make them Covid secure.

On how we have handled the impact on staff who have suddenly found themselves in a remote working situation, as well as balancing the impacts of Covid on their family health concerns and financial concerns, we set up a Covid wellbeing group, which was an action specifically designed to support people directly. We implemented a huge range of support mechanisms for all sorts of areas, such as financial planning, lone working, suicide prevention and alcohol challenges. We are now engaging with every individual to understand whether we are covering what they need. There has been an intense focus on that by our wellbeing group and we have been able to facilitate that because they have not been doing the usual things that they do, such as medicals and so on. It has been an interesting time, and I think that we have moved to a very positive way of engaging with staff.

In looking to the future, we are developing an agile working policy, which does not just focus on home working but talks about how people want to work in relation to their family and personal challenges, so I think that there will be a positive impact that we can harness there. Other than that, we have not had any evidence from that process from our black, Asian and minority ethnic groups or any other minority group that they have been particularly disadvantaged.

The Convener: Will your agile working policy include firefighters, or is it more for back office staff?

Liz Barnes: That is a very good question. We were having a debate in the senior leadership team just this week. It is primarily for support staff at this stage, but we are looking at the model of our service delivery. Are there other jobs that we can create to make front-line services more

flexible? Clearly, there is a limit to that, but it is something that we are very conscious of, and we are conducting a review of our service delivery programme at this stage.

The Convener: What proportion of your staff are in support roles and what proportion are the front-line firefighters?

Liz Barnes: Of our 8,000 staff, 7,000 are mainly on the front line and we have around 800 support staff.

Fulton MacGregor (Coatbridge and Chryston) (SNP): Good morning, panel. I want to move to the subject of institutional racism, which we have been asking all the witnesses who have been in front of us over recent weeks about. We all recognise it as an issue in our society, but we maybe have slightly different understandings about what it is. It is worth saying at the outset that we, as a committee and as a Parliament, regularly recognise that in the Scottish Parliament there is an issue in terms of BME representation. I will ask each panel member two questions. First, what is your understanding of institutional racism? Within that understanding, do you feel that your organisation has an identifiable issue and have measures been taken to address it?

In her previous answer to the convener, Elaine Lorimer started to talk a bit about most of the Revenue Scotland BME workforce being in junior positions. Perhaps that is something that she could expand on in her answer to this question.

Elaine Lorimer: It is fair to say that there is enough evidence to suggest that we live in a society where there is institutional racism. In response to your question about what I understand institutional racism to mean in relation to my organisation, I would say that I have no specific evidence that there is racism in my organisation but, when I look at the diversity of my workforce, it causes me concern because I do not have staff at senior levels yet in our organisation or at board level who are representative of minority ethnic groups. What can we do as an organisation about that? As I said, our staffing and equalities committee and our board looked into this earlier this year. We were very struck by the BLM issue and we wanted to take the time to focus on what it meant for our organisation.

We have a board recruitment coming up. We think that there is an opportunity to try to do things differently so that we bring a more representative pool of candidates into our organisation. We follow the rules that the Scottish Government set out for public appointments. It is monitored, as you will know, by the Commissioner for Public Appointments in Scotland, so it is a regulated appointment process. Nonetheless, within that I think that there are things that our organisation

can do as part of our recruitment strategy to reach out to communities that are not represented in our organisation, to understand why they are perhaps not interested in our roles, or are not aware of them or are feeling that they are not for them, so that we can make our roles as attractive as possible to people.

As a senior leader in the role that I have, I take a personal responsibility for this. There are things that I have done personally in recent times to try to improve my understanding as to what it is like to be part of a minority ethnic community in our society, so that I can understand what I can do as a leader to improve the opportunities for people from those communities to stretch and grow and develop. I am part of a mentoring network that has been set up in the Scottish Government for that. Some of my staff are members of the race equality network in the Scottish Government and we have supported them in that work. As I have said, we have done as much as we can, but I am sure that there is always more that we can do to manage and promote the talent that we have within our organisation to give opportunities for learning and development so that those staff have the best possible opportunity for promotion.

This is a long-term thing that we have to sort out, but I think when we have opportunities such as the board recruitment that is coming up and roles in our organisation as they arise, we should be doing our utmost to broaden the opportunity to enable people to get into senior roles.

Fulton MacGregor: Thank you for that answer.

Does either of—or do both of—the two police witnesses want to pick up that question? From presentations that the police have made numerous times to the cross-party group on racial equality, I know that the police have done a lot of work to recruit officers from BME backgrounds. You might want to touch on that, but could you talk more about what happens once the police officers have been recruited? What are the possibilities for further advancement in the service?

Assistant Chief Constable Ritchie: Again, I will pass the question to Jude Helliker in a second, to speak specifically about our issues, but the broader issue of racism is of particular significance for us because, obviously, we get our legitimacy from our consent from the public, so our engagement and our relationship with the public are fundamental to our operating successfully. As Jude Helliker mentioned, our public confidence figures at the moment are broadly very high.

You asked us what our interpretation of institutional racism is. I think that we have to ensure that our policies and culture are not inadvertently exclusionary in any way. We have a number of processes that allow us to do that,

including an equalities and human rights impact assessment on every single policy that we develop, as well as—I am sure that Jude Helliker will touch on this—compulsory equality and diversity training. We recognise that there is always more that we can do, and it is an area that is constantly under review for us but, as I say, it is fundamental to the way we operate as a service.

The Convener: Jude Helliker, do you wish to add to that?

Jude Helliker: In addition to what Gary Ritchie has said, some very practical examples of where we use our equality and human rights impact assessment to assess our policies and ensure that they are inclusive is, for example, the wearing of hijab, turbans and beards, recognising cultural differences, dispelling some myths and identifying barriers that might dissuade people from joining the police. One of the very practical things that we have looked at over the course of the past number of months is the police recruitment assessment process, which is our standard entrance test that all prospective recruits have to come through. We recognised that there was a 20 per cent discrepancy between minority ethnic candidates and white Scottish candidates. Clearly, that was an issue for us. We commissioned work to design a new standard entrance test, and there is a pilot currently on-going that has already reduced the 20 per cent disparity to 10 per cent. Further work is on-going to get that down to level the playing field for our BME candidates. We see that some of the systems that we have in the organisation are inadvertently disproportionately impacting people who, for example, may come from a household in which English is not the first language. That is one of the very practical examples of how we are tackling issues.

Elaine Lorimer made a point about visibility in leadership, and it is important that we, in Police Scotland, are representative of the communities that we serve. Two of our senior officers are from BME backgrounds. That is two out of 50 senior leaders in the organisation, which is good, but it is by no means enough. One of the things that we have been doing over the past year is developing specific leadership programmes for BME officers and staff. We are going to be developing that further over the next number of months to ensure that we are as representative, particularly at a leadership level, as we can be.

The Convener: Fulton MacGregor, do you wish to come back on that?

Fulton MacGregor: Only to ask whether Liz Barnes has any thoughts on the original question.

The Convener: Before we go to Liz Barnes on the question on institutional racism, can I ask Jude Helliker about the 20 per cent discrepancy that

she mentioned that Police Scotland is working to address? Was that in how people were being marked? Which part of the assessment was it?

Jude Helliker: The assessment is in three parts. One is English language comprehension, one is numeracy and one is to do with critical reasoning and information management. We recognised, in particular, that candidates who did not have English as a first language were struggling with the English element of it, quite understandably, so, after doing the analysis, we decided that we were going to make a direct intervention in there somewhere. We are now running a new pilot that is having much less of an impact on our BME candidates. We are looking to develop that further to ensure that, as I said earlier, we are levelling the playing field for all our candidates.

09:30

The Convener: Could we come to Liz Barnes on Fulton MacGregor's questions, please?

Liz Barnes: I am absolutely confident that there is not an issue with racism in the SFRS. I think that we have a challenge in terms of attraction, so that is where our positive action strategy is focused, because of the perception of what it is like to work in the SFRS.

I will use the example of the male-female balance. Last year's activity was targeted at increasing awareness among the female population of the benefits of, and the facts around, working in the fire service. We held a significant number of events that were targeted at females. We have a long way to go, but that was hugely successful in that we doubled the number of female applicants in the 2019 recruitment campaigns and increased our intake of women by 4.6 per cent on the previous year's recruitment process. That told us that there is lack of awareness in society about the roles in the SFRS and what they are like for specific groups.

Our work this year was, as I said earlier, targeted at BAME communities, for the same reason. We have also linked with organisations including Stonewall Scotland and the Asian Fire Service Association and we have plans to advertise on Scottish-African radio stations, for example, which will, we hope, make people more aware of the potential for working in the SFRS.

We are also trying to deal with intersectionality. We are targeting young people through our youth engagement programme and career ready programme, which has increased this year. We are focusing on care-experienced young people and people from disadvantaged backgrounds, through which we can pick up other elements of disadvantage. The challenge for the service is in

making people aware. Once people are employed in the SFRS, there are enough checks and balances and a positive culture to ensure that they are treated the same as everybody else is treated.

The Convener: Does the SFRS hold information about the ethnicity of people who apply?

Liz Barnes: The early stages of the application process are completely anonymous in order to avoid unconscious bias, but once we get to shortlisting we start to gather that information—albeit that we have a bit of work to do on our existing staff, because we have not captured that information historically.

The Convener: I am interested in pressing you a bit on that. You have described work that sounds good relating to communities, but the committee is conscious that public authorities have a responsibility. It is not just about BME communities applying more or having their awareness raised. There needs to be a duty on public authorities to change how they work and how they recruit so that people make it through, as well as being attracted. What are your comments on that?

Liz Barnes: I totally agree, which is why we are increasing our youth engagement, for example. We are trying to get to young people before they make their career choices so that we can understand where barriers are. We also analyse our fallout rates, and we have on many occasions offered people additional support to help them to reach the standards that they need to even make an application in the first place.

For the next intake that we have planned for late autumn, which is starting soon, we have developed a new recruitment process that is much more intuitive and much less onerous than the previous one. It is being piloted, at the moment. It will make it simpler to apply and to identify where additional support is needed for someone to apply in the early stages. For example, if English is not people's first language, we can identify that and give them alternative methods of application.

The Convener: What do you do with employees who are involved in the recruitment to ensure that their perceptions of people for whom English is not their first language do not get in the way of recruitment?

Liz Barnes: Staff have comprehensive equalities training, and we have equality impact assessments throughout every policy and process that we implement. No one on a recruiting panel will not have had that comprehensive training, which is refreshed on a three-year rolling plan for all staff. We believe that that is captured.

Mary Fee (West Scotland) (Lab): Good morning, panel. One of the things that we are considering in the inquiry is the holding of a public accountability event, at which public authorities could talk about their work and planning to increase the ethnic diversity of their workforce. The committee and stakeholders could then ask questions and hold them to account. Would that be beneficial? If it would, could you explain why?

Jude Helliker: The first quick answer is yes; I absolutely agree that such an event would be very beneficial. It is evident already this morning from listening to colleagues from other public sector organisations that there is much to be learned. It is important that we reach out to other organisations in the public sector, and in the private and third sectors, to see which are successful and which are not successful.

As a public body, Police Scotland is clearly accountable to the public. We are the public and the public are the police, so it is really important that the public, perhaps in harder-to-reach communities, see the police and recognise that. That is work that we have been very committed to for many years, which is ensuring that the police service is representative of all communities.

We also recognise that we are, as a national service that spans a third of the land mass of the United Kingdom, geographically and demographically very dispersed. It is important that we acknowledge that in our recruitment, progression and development programmes. There is much to be learned and much to report back to the public about the successes that we are having, and about identifying challenges and how we might resolve them.

Elaine Lorimer: I would be particularly interested in such an event. One of the challenges for me, as the leader of a small public body, is in having the capacity to reach out as I would like us to reach out.

We tend to punch above our weight in terms of how we engage externally, but I would be very interested, from two perspectives, in an event such as Mary Fee described. First, I would use it to explain what we are doing, and would be genuinely interested to hear feedback on that. I would also be genuinely interested to hear from other public bodies what they have been doing, but more particularly I would like to hear from representatives of the wider communities in Scotland their views on what the organisation is doing, not just in relation to its make-up in terms of diversity in staffing, but also on what we are doing in the services that we provide. Those services are fairly niche, to be honest, in a small tax authority such as Revenue Scotland, but I am, nonetheless, interested to ensure that the services that we provide are accessible to everybody. I would use

such an event genuinely to receive feedback so that we could improve as an organisation.

Liz Barnes: Like Elaine Lorimer, I would hugely welcome such an event, in order to understand the challenges that our partner agencies face and to learn from that.

More important is that I would like to hear from representatives of BAME and other underrepresented communities, to understand directly from them what we could do to be more accessible and to support and encourage people from those communities to work with us. I would welcome that very much. Such an event would be an excellent opportunity.

Mary Fee: We have heard mixed views about the benefits of holding such events, so your very positive comments are welcome.

I want to ask about the practical steps that you take to increase the representation of minority ethnic communities in your workplaces. In previous answers to the committee, each of you has touched on different initiatives and things that your workplaces are doing. Do you want to add anything about specific initiatives that you have going on, or are you content with the comments that you have made previously?

The Convener: Does Gary Ritchie have anything to add?

Assistant Chief Constable Ritchie: Jude Helliker will cover the specific issues around employment and recruitment.

The fundamental process of community engagement is always done with a view to understanding whether communities—whether or not they are hard to reach—are receiving a high standard of service. It is also about opening the service to our communities in whatever way is possible, whether it is through accessing community groups or potentially for future employment opportunities. Nationally, we link in with a lot of representative groups—I will not list them, because the list is extensive. We also have specific engagement in our divisions, so we are constantly looking to improve that engagement. That is really important in opening the service.

The Convener: We have captured quite a lot about what Police Scotland is doing. Does Jude Helliker have anything to add on the specific measures that Mary Fee asked about?

Jude Helliker: I have one thing to add, if I may. We have identified some of the barriers to recruitment, but we have agreed over the course of the next number of months to undertake some research into barriers to recruitment progression and the retention of underrepresented groups within policing. We will be working with our diversity staff associations to frame up the terms

of reference for that work to ensure that we are learning the big issues that are the barriers to black and minority ethnic groups, and other underrepresented groups, going into policing.

Elaine Lorimer: I have two short additional points, the first of which is that, again, it is to do with our size. We are very much dependent on what the Scottish Government chooses to do regarding changes to core recruitment practice, because we align ourselves with that. A lot of work on that is going on through the race equality network within the Scottish Government. Some of my staff are directly involved in that work on trying to reframe and reshape the approach to recruitment, which we will then benefit from.

Secondly, there is a lot that we can do in terms of getting staff in, but the reception that they get when they arrive is just as important. In Revenue Scotland we have done a lot of work on trying to make our culture open and welcoming, irrespective of who is arriving. We need to look at the entire journey of somebody who is joining an organisation—what the reception is like when they arrive, how we induct them, how we support them and how we support their career development so that they can go on and have a flourishing career.

09:45

Liz Barnes: Our senior level BAME champions have just started to develop our focus on that, and I am looking forward to the benefits that that will reap. They are going through training to support them to drive that across the service. We are aiming to have a specific focus on BAME communities in relation to our apprenticeship scheme, which is now fully up and running, and we hope that that will help us target young people in the BAME community.

We also look forward to joining the justice sector cross-system race employment group, which we hope will help to add value. That is not quite off the ground yet, but we would be keen to get involved in it.

The Convener: Is Mary Fee content for me to move on?

Mary Fee: I would like to come back and ask our police representatives a specific question, convener. On 15 September, the thematic inspection into training and development in Police Scotland was published and there are 17 recommendations contained within that report. We do not have time this morning to go through those recommendations in detail, but I would like to pick out a couple of things from the report. The first point is around lack of leadership training and development in Police Scotland, and the second is around promoted officers saying that they have received no training or development.

In answer to a previous question—correct me if I am wrong—I think that Jude Helliker said that two out of your 50 senior officers are from black and minority ethnic communities; it could be said that that is not particularly a number to be proud of. In the previous session of Parliament, I was the convener of the Justice Sub-Committee on Policing and we had a number of discussions with representatives from the black and minority ethnic community about the relationship between their community and the police. In order to encourage more individuals from the black and minority ethnic community into the police, it would seem that, first, there has to be a good relationship with the police; secondly, people have to see themselves represented in the police force that is on the streets every day.

Clearly, the minority ethnic community is not seeing that, so I would be interested in your comments on the report. What further things will you do to build that relationship?

Jude Helliker: Since the inception of Police Scotland, we have focused very much on service delivery, the national functions and the local policing divisions, and we have been developing our leadership products over the last number of years. I think that we can always do better. We have been developing some leadership programmes, but we recognise that the diversity in our leadership is not yet where we want it to be.

However, since 2014—one year into the inception of Police Scotland—we have increased our female proportion from 29 to 32 per cent and in promoted ranks from 20 to 27 per cent; in superintendent and above ranks, it has increased from 16 per cent six years ago to 26 per cent in 2020. That is a fairly significant increase in female representation, and I think that we can learn a lot from that work to relate to black and minority ethnic officers.

Our proportion of BME officers and staff within the organisation remains below what we would hope for it to be. Looking at the total workforce, 2 per cent of our police staff are from a BME background; for police officers, it is just over 1 per cent. Increasing that is an absolute priority for us, not just at the recruit level but at promoted ranks. As Ms Fee said, the public will recognise the legitimacy of policing only when they see themselves reflected in that population. One of our divisional commanders in Ayrshire is one of the most senior visible minority ethnic officers we have in the organisation, and he is a great example of how the community can be mirrored in senior officers. There are a number of other officers in senior ranks and in roles that we are looking to increase.

In terms of leadership training, we have implemented a programme this year specifically

for female BME officers, to encourage them to dare to lead. We will run that programme over the course of this financial year. Depending on its success, we would like to see the programme rolled out to all of our BME officers and staff to encourage them to dare to get to the top.

The Convener: Gary Ritchie, do you have any comments? It is a big area and, as Mary Fee said, there was lots of stuff in the thematic inspection, so we will try to focus on what we are here for today. I suppose that lack of leadership training would be one of the things that might jump out for committee members.

Assistant Chief Constable Ritchie: As Jude Helliker said, leadership training is something that we are looking to improve as an organisation, and there have been an awful lot of improvements and enhancements to that recently. However, that does not mean to say that there is no development for leaders throughout their career. I think that that is one of the things that we are good at in terms of operational competence and development; it kind of comes with the role that you are doing.

I emphasise that our community engagement is all-important now. I am divisional commander in Dumfries and Galloway, which is not an area that has an awful lot of multi-ethnic groups or communities, but even there it was important for us to reach out, because we see ourselves not just as a service in our own right but as one of those cultural institutions that have an important role to play in ensuring that our minority and ethnic communities are integrated and part of the broader society.

That is why, like every single other commander, I have specific initiatives to ensure that that happens, because we want the community to be proud of the police service. If we can instil that pride, that will encourage people to join, because one of the main reasons why people join the police service is to make a difference to the community; we have to be seen as a service that delivers that and which is relevant to everybody. That is why we constantly have these initiatives at a local level. I think that we have improved an awful lot in that area, and that is reflected in the very broad public confidence in the police.

There is a lot of work going on out there. I know that, historically, it has been quite a long process to get to the senior ranks in the police. Everybody starts as a constable; I think that that is one of our strengths as an organisation, so it can be quite necessarily long. I think that Jude Helliker mentioned the accelerated leadership programme that we have developed, and we are looking at other fast-track initiatives as well. Those are embryonic at the moment, but I think that they will make a difference in future. There is an awful lot

going on operationally in the organisation that I think will make a difference in the future.

The Convener: Thank you. If we have any more questions on that, we will follow up with correspondence.

Gillian Martin (Aberdeenshire East) (SNP): I know that we do not have an awful lot of time left, so I will roll my questions into one. I will ask about positive action. You have all mentioned various positive actions that you have taken to try to increase the levels of BME representation in your organisations, as we have just been saying, to better reflect society. What assessment have you done on how they have worked and why? If there are so many positive actions available, why are we still not seeing the shift that we would like to see? We have heard from quite a lot of equalities organisations and heard various comments that positive action is not well understood and that employers are fearful of getting positive action wrong. When you have been doing that assessment, have you ever gone to an equalities group to let it help you find out why they have not worked, what you could be doing better and what positive actions you could better take?

The Convener: To assist in focusing, it would be helpful if you could speak specifically about positive interventions on race inequality.

Jude Helliker: We work close with our diversity staff associations, particularly SEMPER Scotland—Supporting Ethnic Minority Police employees for Equality in Race—and the Scottish Muslim Police Association, to ensure that we are tackling some of the right issues. That is an on-going journey for us, because those of us who are not from a minority ethnic community do not know what it is like to be from that community, so it is important that we understand what the barriers are. As I mentioned, we are going to undertake research to identify what some of those barriers are and how we can tackle them.

We recognise from the conversion rates that we are still struggling to get applications from people who are interested in joining the police. We get a lot of interest in the introduction to policing programme that we run particularly for BME communities. People come along on the first day with great enthusiasm and interest, wanting to understand what the process is. Some of them will come along to the second day, which is a few weeks later, and we invite family and friends to come along. It appears to be at that point that the interest levels start to wane. I think that, in some of the hard-to-reach communities, the issue of family endorsement in policing as an attractive career option is still one of the challenges that we face. We will continually review what we are doing to, first, increase the attractiveness of policing as a

career and, secondly, to convert that interest into successful applications.

Elaine Lorimer: My board and I have decided to take the approach of reaching out and understanding more before we take action. Our organisation is only five years old, so we do not have a lot of history or data that we can draw on or initiatives that we can properly assess. We decided that we needed to get some evidence and work on the basis of that evidence in planning future initiatives. As part of the approach that we are going to take, we will, like other organisations that are represented here, do some research. We are going to have an outreach programme in which we reach out to communities to help us to design the services that we provide in future, but also to understand why we are not getting the candidates, as I have described earlier, either for senior positions or more broadly into our organisation. The targeted research and reaching out to those communities are very much part of our plan over the next year. We want to start now, because we have recruitment exercises coming up that we want to do differently.

10:00

Liz Barnes: When we developed our action plan that was aimed at balancing the workforce, we decided that it would be better to focus on one particular area and do a deep dive there rather than skim the surface of all the areas. In doing that, we focused last year on the male to female split, as I talked about earlier. I believe that taking that approach reaped benefits. We assessed that and, where we felt that it was successful, we have embedded it into the process.

This year's aim is to focus on BAME groups in the same way—in a much deeper dive. In doing that, we have taken advice from organisations such as AFSA and Stonewall. We are also setting up employee networks for those areas, which we have not had in place before. The legacy fire brigades had some things going on but, as a whole service, we have not done that. Those are some of the key things that we are looking at, as well as the youth engagement activities, which I also think will inadvertently reap benefits, because we are capturing a number of characteristics. I absolutely accept that there is lots that we can still do, but we need to consider where we can get the most benefit from the resources and time that we have. That is the approach that the fire service has decided to take.

Alexander Stewart (Mid Scotland and Fife (Con): Good morning, panel. We have been discussing this morning the support for ethnic minority groups in your organisations and also some of the training that is required. Over the past few evidence sessions, I have been asking

specifically about the training that is provided, and we have had a very mixed picture from organisations and public authorities about what they do to ensure that there is mandatory, face-to-face training; in some, the training is online and optional. We have also today talked about where the organisations are trying to capture some of that.

What support do you give to individuals to ensure that they can have that diversity of training? Even if a member of staff has been absent for a lengthy period of illness or maternity leave or whatever, how can you support them and retain them in the organisation so that you capture them and keep them in the workforce?

Jude Helliker: We provide mandatory training to all our 23,500 staff and officers. When they start with Police Scotland, they undertake one day's mandatory equality and diversity training, and then that is built up. We have just recently redesigned the whole probationer training programme and equality and diversity issues are woven into that whole 11-week initial programme before officers go out to divisions to start the next part of their programme. We provide training to our inspectors and above through a course called simplicity, which is a critical incident management programme. That has significant diversity and race relations elements to it.

We have also recently implemented a new competency and values framework. Our values of fairness, integrity, respect and human rights are at the centre of that framework and we expect all our officers and staff to comply with the behaviours that are outlined in that, which include emotional intelligence and awareness. As we use that competency and values framework to identify people for progression to the next rank, we use critical incident briefings for, for example, chief superintendents. In the most recent programme that we ran, we had a very significant critical incident that had race relations issues and only the very best who were able to respond effectively to the chief constable in that regard were eligible for promotion.

We work with the diversity staff associations to support our minority groups. I think that we can do much more. I had a meeting with SEMPER last week to see what we can do to intervene very specifically with the support to our minority officers. Having recently started work on a reverse mentoring programme with one of our minority networks, I think that it is very important that we, as senior leaders, listen to some of the minority groups in our workforce and understand from their perspective what the issues are and do not try to put our own unconscious bias on them. One of the big issues that we will be tackling this year is how

we tackle unconscious bias in relation to a variety of different protected characteristics.

Elaine Lorimer: As a public body allied to the Scottish Government, we have unconscious bias training, which is mandatory and has everything that you would expect us to have there. When staff come into our organisation, we have a comprehensive induction programme that introduces them to things such as that mandatory unconscious bias training, but it goes wider than that. It talks about the culture of the organisation that we are trying to promote and makes strong links to the racial equalities network and, in the case of staff who come from minority ethnic communities, the further support that they can reach out to beyond our organisation.

Within our organisation, we have placed a lot of emphasis on culture and on leadership and management development. In all those initiatives, the focus on culture has been about creating an inclusive culture in which everybody has their place in our organisation. We have supported that, too, with initiatives on bullying and harassment, on understanding our policies and on creating avenues for staff if they are feeling that they are being treated unfairly, such as safe places where they can go to discuss that so that those matters can be dealt with.

We have all that in place, and the question then is how we promote and nurture the talent that we have. I have mentioned already support for key staff around their own development, their professional development and their leadership development. That is all in place in our organisation and it is about keeping the momentum of that going so that we can improve our culture and improve the opportunities for the staff who are working with us.

Liz Barnes: The communications plan for our revised whole-time firefighter recruitment programme, which I mentioned earlier and which is about to be rolled out, will target Scottish African communities, in particular, in the hope that we can encourage more applications from them. We have our professional behaviours and equality training programme, which is compulsory for all new recruits, whether they are operational or support staff, and continues to be compulsory on a three-year cycle. That is updated, as necessary. It includes elements on race awareness and tackling prejudice and discrimination. We also provide additional awareness raising in other training settings, such as service delivery, where our community advocate team work with communities and in employment with unconscious bias training, which features in our recruitment and selection training. That includes all interviews and so on.

We also make sure that we scrutinise trends arising from complaints on racial grounds to

understand whether we need to do any further training, and we have tended to do that individually where there may be behaviour that is not within our values. Also, our health and wellbeing services team have specialist training to be able to deal sensitively with cultural differences. They get involved at the recruitment stage of the process for onboarding medicals, but they also deal with staff as they go through their employment when they have health challenges. That is a cross-sector view of what we are doing to address the awareness and knowledge of our staff.

Alexander Stewart: You talked in some of your answers about culture and confidence. In the past, we have talked about the organisational or reputational damage that can be created by not having all these structures in place. I would like to ask the police once again about the thematic inspection, which identified many gaps and failings to do with flexibility, understanding and mentoring frameworks. That has an impact on the public's perception of the organisation and could damage the reputational culture of Police Scotland, so do the implications of the report require to be addressed further?

The Convener: We have had quite a bit from the police on that, so I will ask the witnesses briefly whether there is anything to add, but I feel that we have covered quite a bit of that. Jude Helliker, is there anything else that you wish to add about the reputational impact of reports such as the thematic inspection?

Jude Helliker: I think that we have a very strong story to tell. The public confidence figures speak for themselves. We have applied the four Es throughout the Covid pandemic—engage, encourage and so on—so that has been very much the way in which we have approached our policing style. That is very much at the heart of how we apply our behaviours and values as a service. I think that we have a strong leadership team in Police Scotland, and that permeates throughout the organisation and how we deal with our communities.

Alex Cole-Hamilton (Edinburgh Western) (LD): Good morning to the panel.

Forgive me, convener, but I have a follow-up question on the Her Majesty's Inspectorate of Constabulary in Scotland's inspection report. I want to pick up on the fact that there has not been a staff wellbeing survey in the police since 2015. It strikes me that the best way to understand how included people—particularly people from ethnic minority backgrounds—feel would be through an inward survey such as a wellbeing survey. Why has there not been such a survey for so long? Are you planning to institute one soon?

Jude Helliker: Yes. It is absolutely our intention to have a whole workforce survey early in the new year. A survey was not carried out earlier this year, as the intention was, as a consequence of Covid-19. The chief constable took the decision to push that back.

We will apply a survey that has been used in 33 other police services across the United Kingdom. We have contracted Durham University business school to undertake that research, which will enable us to benchmark against many other forces in the UK and some of our most similar forces. We are very much looking forward to that whole-workforce survey next year.

10:15

Alex Cole-Hamilton: I understand why, with Covid, a survey was delayed early this year, but is it really Police Scotland's practice to conduct staff wellbeing surveys only every five years?

Jude Helliker: No. Our intention is to run the survey every 18 months. As I said, we were going to do that earlier this year but, for obvious reasons, that did not happen. However, we have conducted other research with our workforce. That has not been with the whole workforce, and it is really important that we do that with the whole workforce, but we regularly engage with our people. We have a very strong engagement function. We have a chief constable's forum at which there is an opportunity for every member of the workforce to talk to the chief constable on a bi-monthly basis, and we publish all those questions and answers on our intranet within 24 hours of the questions being asked. We have regular engagement at both the local and national levels. Although we can always do more and we are very much looking forward to the staff survey, we engage very successfully with our workforce.

Alex Cole-Hamilton: My final question is for all the panellists. What processes do your organisations have in place to ensure that, when you go through a recruitment process, you have a clear way of capturing the reasons why people are unsuccessful? What level of data do you have to refer to? Who is responsible for reviewing that, following it up, and looking introspectively at organisational processes and potential bias?

Jude Helliker: Later this year, we are to implement a new e-recruitment system because, at the moment, all our recruitment processes are manual, and that causes us difficulties with recording data. Therefore, it takes us quite a long time to pull information together.

As I mentioned earlier, one thing that we were very concerned about was the attrition rate of BME candidates in the recruitment process. That was sufficiently of concern to us to get into some of the

deeper analysis. As I said, we are tackling that through the introduction of a newly designed standard entrance test to ensure that some of the unconscious bias and the potentially disproportionate impact on underrepresented groups are tackled.

We are very conscious that the attrition rates across the board in terms of progression to senior ranks are not impacting on underrepresented groups. We regularly monitor the success rates of all our candidates for promotion to senior ranks, and we are pleased to say that, in the recent round of promotion processes, we have not seen a disproportionate impact on BME or female officers. However, we will continue to monitor and review the data to ensure that any changes that need to be made are made expeditiously.

Elaine Lorimer: That is one of the pieces of work that we are going to undertake this year to try to get better-quality data in relation to our recruitment campaigns coming through. We take our human resources shared services from the Scottish Government, so we are heavily reliant on its systems for holding and processing data. We are in discussions with the Scottish Government about how we can access more refined data relating to our recruitment, so that we can use that as part of our research this year for the more targeted approach that we want to take. However, we are very much bound up with the Scottish Government's systems and processes. As I have said, we are in regular conversations with it to see how that can be improved.

Liz Barnes: We capture all the statistics at the beginning of our process, and we can go back and look at them. We look at the total applications received, broken down by all the characteristics—gender, transgender, age range, ethnic group and so on. That approach is fairly comprehensive. From looking at the statistics, not a lot of people tick the box that says that they would prefer not to answer, so it is a fairly accurate reflection.

We then break down the stages at which individuals drop out of the process, whether that is in the psychometric selection area, at the assessments themselves, or later on in the process—even once they have been successful. We analyse all of that information. That was one of the drivers for our focusing on women, for example, and particularly women firefighters who were dropping out on assessment days because of physical fitness. As part of the approach, we provide early input to women on how to improve their fitness and what areas to focus on so that they have a better opportunity to pass. That has been one of the reasons why we have been more successful in that area. We have not changed our standard at all in respect of the entry requirement, because the standards are nationally agreed, but

we have been able to help people to get to those standards.

The other reason for changing our recruitment process recently was that we had some significant challenges with the psychometrics. There were two main issues. First, people who were perfectly capable of passing in other areas were failing the psychometrics. Therefore, we have simplified that process. Secondly, the process is a remote one, and we noticed that some people who came in had clearly got somebody else to complete the test for them. We have had to build mechanisms around that.

We are constantly analysing the approach in a detailed way, and that has led to the improvements that we have already built in. However, our systems are very clunky and the process is a very manual one, albeit that we have just kicked off a process to renew our system so that it will be more intuitive.

The Convener: Does Alex Cole-Hamilton have another question?

Alex Cole-Hamilton: I am content. Thank you, convener.

The Convener: That brings this evidence session to an end. I thank the witnesses for their evidence, which has been very interesting and helpful to the committee. Please wait for the broadcasting staff to switch off your video and your microphone; you are then free to leave the meeting. You can continue to watch it on Scottish Parliament TV if you wish to do so.

We will have a brief suspension while the broadcasting staff set up the second panel.

10:23

Meeting suspended.

10:25

On resuming—

The Convener: I welcome our second panel of witnesses. Lynda Thomson is the head of people and organisational development at NatureScot; Chris McCoy-Lavery is an equality, diversity and wellbeing specialist and the head of the mediation partnership team at VisitScotland; and Louise McGunnigle is a HR manager at Highland Council. Thank you all very much for being here this morning to answer our questions.

I will quickly explain how the session will continue. I will invite members to ask questions. I remind members that, if their question is for a specific witness, they should identify them by name. Otherwise, we will work in the order in which witnesses appear on the agenda. I ask

members and witnesses to keep their questions and answers succinct, please, and to give broadcasting staff a few seconds to operate the microphones before they ask a question or begin an answer.

I will start by asking our panel members what impact Covid-19, the measures that were put in place to keep people safe and the Black Lives Matter movement have had on race and employment in their organisations in the short, medium and long terms. Can you speak to any specific planning that you have done for your minority ethnic staff to take Covid-19 into account?

Lynda Thomson (NatureScot): Good morning, everybody. Covid has been a challenge for us in the same way that it has been for others, but this has also been a really exciting period of time. We have had absolutely—*[Inaudible.]*—across our organisation, contributing to the green recovery and all sorts of other strategic work.

Specifically on our workforce, only 0.6 per cent of our employees are black and minority ethnic, and we have only a 3 per cent turnover, so our opportunities to do much about that are very limited. Our focus has been on trying to work out how we can bring in more diversity through other, more creative ways and on stopping thinking about the organisation as a silo. It is a sector-wide challenge and a national challenge. We have focused on what partnerships we can develop over this time, and we have started making some good strides in that respect.

One of the best things that has happened is that we have been doing monthly wellbeing surveys of our staff, which have brought up all sorts of really interesting things that we might not previously have been aware of, which affect one group of staff or another—in particular, people who are carers, people who live on their own and younger people who share a home with their families. All sorts of really interesting differences have come out, and we have started a whole bunch of work from that.

We have had lots of different blogs on the Black Lives Matter stuff. We did a specific piece of work around racism and climate change, which kick-started some interesting conversation and debate in our organisation about bias across the sector and how to increase access to nature for people. For us, it has been brilliant. We have these things called study tea groups, which have started up. They have come through our young employee panel, and in them we are talking about all sorts of different topics such as intergenerational work and racism and climate change, which was the starting point.

It has been a real mixed bag, I suppose. We have had some challenges, like other people, but many more opportunities have been presented.

10:30

Chris McCoy-Lavery (VisitScotland): Good morning, and thank you for the opportunity to speak to the committee and give VisitScotland's views—I appreciate it.

We have had a two-pronged approach to Covid. Our staff have been dealing with a tourism industry that was devastated by Covid, as you can imagine. We have our staff who work internally in the big offices, but we also have staff who work in our information centres. They could not do that any more because the centres were all closed, so we had a big issue.

The staff who were dealing with the industry found that it was very stressful because they were spending an hour or an hour and a half on the telephone talking to people in the industry who were suffering and losing their businesses. Following that, I had a conversation with some of the managers and we put on some training to help our staff to deal with those conversations and support them individually. I did a series of sessions on coping strategies for stress management and so on to support them through that process.

The staff in the offices were all working from home. During the time when we were off, we did a short staff survey about how people felt. Mostly, it was parents with children who were struggling. We have been incredibly flexible with time and working, so people have been able to work at different times and have time off in the afternoon. There is obviously a balance to be struck but, in response to that, we set up a parents working group, which now has 22 or 23 members. They meet online and they can share ideas to keep children amused. That has been a really useful tool, especially through the lockdown. People have shared videos in different areas, and because of that they have felt supported and been able to communicate with one another, which is important for their wellbeing.

The staff in our information centres have been working on different projects. They have been working with us and helping us with wellbeing. We have had a variety of responses—it has been a mixture—but we have improved as the tourism industry has come back to life. We have more people working and the information centres are mostly open. We are working on that.

A lot of our young people have really got involved in the BLM movement. As a result of that, they have been working with me and our inclusive tourism manager and we have designed what we

call an inclusive charter for the organisation. It is in the very early stages, but it is all about actions that we can take to be more inclusive on every level. You have probably seen from my written submission that we have tried to be inclusive of everything instead of concentrating on one area.

We called our most recent mainstreaming report “Our People”, because we see our people as people first, and we try to drop the labels, if you like. We see our people as being valuable to our organisation. We work on that with them, encouraging them and giving them opportunities.

The strategy and charter will go to our senior management team in about a week's time, and we will take action following that. I cannot say any more than that at the moment because it is still in the making, but it is a really good charter.

We have also been working with BEMIS, which is an organisation for black and minority ethnic people. We have begun to send all our recruitment and job adverts to BEMIS, and they go out to over 4,500 people via email. We hope that we are connecting through that.

The Convener: What proportion of VisitScotland's employees are from black and minority ethnic communities?

Chris McCoy-Lavery: It is about 3 per cent at the moment. We are quite keen in VisitScotland and we use a definition of race that includes things such as nationality. We have people from all over the world working with us—from Spain, Italy, Poland and everywhere. We try to be fully inclusive in that sense and give everybody the opportunity.

We have allowed people who work with us to go home to spend time with their families, and to work from home in different countries, because people can work from any home as long as they have the right equipment, security and so on. It is fine for a period of time—not forever, and obviously they are on standby to be called back if we need them, but we have allowed them to go home and be with family during this difficult time.

Louise McGunnigle (Highland Council): Good morning, everybody. I echo what Lynda Thomson and Chris McCoy-Lavery have said about the impact of Covid on organisations, and Highland Council has been no different.

We have about 10,000 employees. Our percentage of BME employees is largely representative of the most recent census, and it is lower than the percentages in the rest of Scotland at less than 1.5 per cent. We try to have a full inclusivity approach as opposed to a targeted approach.

In discussing what we have done in relation to Covid and the lockdown, I will take the three

elements of the short, medium and long term one by one. The immediate response was to send everybody home, putting provisions in place to enable those who could work from home to do so and reassuring those who could not that they would be supported during that time.

Some of our staff needed to return to work. We are a local authority and, as you can imagine, much of our work is on the front line. We include education within the local authority, of course, and that accounts for roughly half of the council. Much of the focus was about enabling teachers to provide support to pupils during that time and working closely with the unions to enable that.

Our work in response to the impact on staff who were working from home and have children at home was again about providing reassurance and support. During that time, we set up an emergency helpline purely for staff to contact our human resources department with any concerns and, again, we made temporary changes to HR policies to support and reassure staff.

In the medium term, a working group was put together, which was headed up by one of the senior executives of the organisation, for staff returning to work. There has been much engagement, including the initiation of an employee engagement strategy, and the first survey was sent out in June. That was about staff wellbeing. We were pleased with the results of the survey as a large percentage of our staff—90 per cent—felt that they were able to cope with the situation and said they knew where to go to get help.

In addition to that, we brought forward an employee assistance scheme that we were due to implement later in the year in order to—

The Convener: I am sorry to interrupt you. I acknowledge the importance of all your staff and of inclusivity of everyone, but our inquiry is specifically about the black and minority ethnic workforce. Will you home in on that in your answer? Were any specific measures taken to help those members of your workforce?

Louise McGunnigle: Nothing was specifically targeted.

The Convener: Thank you. That is helpful. I will bring in Fulton MacGregor now.

Fulton MacGregor: I will ask all the panel members the same question that I asked the previous panel. Do you recognise institutional racism as an issue for your organisations? If so, to what extent is it an issue and what action are you taking to address it?

Lynda Thomson: Institutional racism is not something that we talk about, because it is not something that we have recognised or

experienced as a problem—[Inaudible.] What we recognise is unconscious bias as an organisation—[Inaudible.]

The Convener: You are breaking up a little, Lynda, so I will go to Chris McCoy-Lavery and then come back to you. We were not quite catching what you were saying.

Chris McCoy-Lavery: We do not recognise institutional racism in VisitScotland. I have been in VisitScotland for 10 years now. I joined after 30 years in the civil service in the UK Government, and I have headed up equality and diversity in two different departments. I have experienced institutional racism in other places, but I can safely say that I have not experienced it in VisitScotland.

The issue is not on our agenda as such, although we recognise it and we are aware of it, and we have worked on diversity training. I have done work in relation to unconscious bias, too. I specifically brought in the term about 10 years ago before it became popular. I had previously worked with a team of occupational psychologists and a colleague in that organisation was probably one of the first people to come up with the term “unconscious bias”, back in the 1980s.

We did a lot of training when I first came to the organisation, and I can safely say that we have no issues around that, although we are aware of the issue and we have worked with ethnic minority groups such as BEMIS for a long time as part of our accessible and inclusive tourism projects. We have had lots of consultations with those groups and continue to do so as part of our inclusive strategy and charter that we are putting together.

Fulton MacGregor: BEMIS has been mentioned a couple of times. That is a really good measure that has been put in place, but was that a response to ensuring that institutional racism in recruitment policy was not an issue for you? Have you been proactive in ensuring that you have an organisation that is scrutinising your approach?

Chris McCoy-Lavery: BEMIS does not scrutinise us as such. We have worked with it and have developed an on-going relationship with it. Obviously, VisitScotland has a staff equality group that is made up of staff from across the organisation. We monitor and look at the way we do things such as recruitment. Our human resources team are very much on board. They have been through the unconscious bias and diversity training.

BEMIS is part of our approach. We consult it and we keep up communication. I refer to it if I have a question or if I have any problems. We have an on-going relationship.

We have recently enlarged our volunteering scheme. People in VisitScotland were volunteering

with organisations to work for one day a year, but we have now developed that to one day a month. We have partnered with BEMIS to send a member of our staff to BEMIS to work one day a month for 12 months and, in return, BEMIS is sending somebody to VisitScotland to work with us, so we have on-going personal engagement.

I have been working in equality and diversity for 34 years, and I think that the only way that you get diversity and equality is by engaging people on a personal level. Things such as training are good, but you have to engage people and answer that one question: "What's in it for me?" That is not a selfish thing; it is about what engages people in what you are doing.

A really good example of that is Captain Tom, who raised £39 million during Covid. It was a personal engagement—he had that personal touch. Sadly, we do not have Captain Tom in VisitScotland, but we work on that kind of personal engagement to form relationships with people externally. We have done that through the inclusive tourism scheme and with disabled groups. We have a great relationship with disability groups as well through our work with the industry to encourage more disabled people to come on holiday to Scotland. We continually use that model to develop relationships. That keeps us in the mix, keeps us on our toes and helps us develop our policies and strategies in a way that will be effective, not because we said it, but because they said it.

I know that there is an issue with consultation fatigue but, through the volunteering with BEMIS, we are trying to give back as well as ask. We are trying to make a two-way relationship.

The Convener: I will bring Lynda Thomson back in to answer Fulton MacGregor's questions. Lynda, let me know if you need a reminder or if you are okay to go ahead and answer.

10:45

Lynda Thomson: I am okay to answer. I hope that it will work okay.

I completely agree with Chris McCoy-Lavery. We are relatively similar, so I will not dwell on the issue too much, but we do two things. Internally, we have been focused on unconscious bias for a while. Early last year, we put all our teams through an understanding self session, and this year we are moving on to how that impacts on the way in which people work with others, which is where the unconscious bias part comes in. That is the internal development. It is not a one-off diversity course or an understanding of one element of the issue; it is a big package. It is a human thing so that people can see that it is about them, as Chris McCoy-Lavery said.

Outside our organisation, we have community engagement in schools and teams working in various community environments trying to influence organisations to think about diversity in nature. It is not just about big green spaces; it is about urban green spaces. We are doing a lot to push the idea that you need to see it to be it. We need to show communities how it feels and how they can experience nature and work in it, either as a volunteer or alongside us in another way. We are tackling the issue from a different perspective. It is similar to the approach that Chris McCoy-Lavery outlined, but in different ways, internally and externally.

The Convener: Louise, what is your organisation's understanding of institutional racism, and what do you do about that?

Louise McGunnigle: We absolutely recognise that it exists in society. However, we do not recognise it as a problem in the council. An example of how we deal with inclusivity of all groups is that the chief champions a leadership element and communicates regularly to the entire workforce how important it is to be included, particularly given the geographic nature of our council—we are two thirds of the land mass of Scotland. That filters through to every aspect of diversity.

We have an equalities working group. The theme runs throughout all our policies, and we ensure that all staff attend an equality and diversity workshop that we run in conjunction with our partnership with the national health service. Those are just a few ways in which we deal with the issue. It also threads through our employee review and development process, in which it is discussed with managers and staff. All managers have specific recruitment and selection training, too.

Mary Fee: What are your views on a public accountability event? One option that the committee has as we take forward the inquiry is to hold a public accountability event, invite stakeholders and have committee members there to question public authorities about what they have done to improve diversity in their workforce. The aim would also be to share ideas and learn from each other. What are your views on such events?

Lynda Thomson: Probably unsurprisingly, given my previous response, I love the idea. Our organisation would absolutely thrive on that. Two-way conversation is what we are all about, and we want to do more of it. Such an event would work perfectly with all our plans and aspirations.

Chris McCoy-Lavery: VisitScotland would welcome that. We would take part and be enthusiastic about it. My only proviso or warning sign would be to ask whether anything will change

as a result. Are we going to do anything or take action to follow on from it? I talk to people in all areas of inclusion and the charities that we work with, and they say, "Sometimes, you say a good message, but you do not translate that into action." Therefore, I would welcome that as long as you are committed to doing something at the end of it.

My theory for Scotland has always been that we should not try to do 10, 15 or 20 things; let us do one or two things really well. Do not try to be too ambitious. You have to pull it in and do one or two things really well in conjunction with the people you are working with. You should talk to them and bring them in, have a two-way conversation and learn from them—they will learn from you as well. Bring them in and do those two or three actions really well. I would welcome such an event, as long as we have an action following it to do something or change something. It has to make a difference in people's lives because, otherwise, it is not worth the paper that it is printed on.

Louise McGunnigle: Not surprisingly, I completely agree. We are all about community engagement and engagement with partners. I absolutely echo what Chris McCoy-Lavery has said. My biggest concern would be about the action planning and action that takes place as a result. It is a fabulous opportunity to bring people together and perhaps capitalise on some of the best practice and good approaches in order to potentially develop a model for the public sector. I would welcome that.

Mary Fee: I absolutely agree with the points about getting an outcome from such an event. The committee has had discussions about having a clear focus when going into such an event, and having a clear view of what we want to get out of it, so I particularly welcome your comments.

What practical steps do your organisations take to increase the minority ethnic mix in your organisations? Each of you has spoken in previous answers in a bit of detail about some of the stuff that you do but, if you want to add anything, I would be more than happy to hear it. If not, I am content.

Lynda Thomson: I do not have masses to add. I would say that we do not think that we are doing enough on the issue, so we are trying to develop more relationships with more organisations. We work quite closely with Backbone and a few others, but we are not doing enough. I just want to reinforce the message that there is a lot more to do.

Chris McCoy-Lavery: I have a couple of points to add. One is that we are considering how to encourage more ethnic minority people into our modern apprenticeship scheme. We will probably reserve one or two places in that scheme for that.

Secondly, we have been talking about mentoring at board level for people with disabilities, given that VisitScotland has had a massive accessible and inclusive tourism programme for the past 10 years. We are looking to work with Inclusion Scotland on that. I am also looking to bring that in from a race equality point of view. That is also on the agenda, and I am sure that my board will be keen on doing that and will be supportive.

We have a great chairman, and two of our board members are involved in the work. One of them is on the staff equality group and the other is on our team of first contact officers. They are people who do exactly what it says on the tin—they are there for people to talk to in case of any problems, issues, conflicts or whatever. Those officers have been used quite a lot, and one of our board members is on that team. We have some good relationships with our board members and a real commitment to the programme from the top of our office.

Louise McGunnigle: I do not have much to add, either. The council also uses the modern apprenticeship scheme to target minority groups. Although we believe that we are representative of our community, we recognise that, at the senior level, we have a gap. We have no representation at senior level, so there is an opportunity to focus some targeted positive action. It is in the plan to review the recruitment policy and strategy early next year.

Gillian Martin: That final comment from our representative from Highland Council leads very well on to my questions around positive action, so I would like to come to her first.

Positive actions are multiple, and some are more effective than others. We have heard from quite a lot of equalities groups that positive action is not particularly well understood in the first place, and we have also heard that employers are fearful of using it. In your review of the positive action that you have taken, what advice are you getting from equalities groups—who know how positive actions work and which ones work better than others—so that you can see what has worked, what has not worked and what you can maybe do better in the future?

Louise McGunnigle: The review is due to take place early next year. In terms of reviewing and getting feedback on the strategy, I have learned a lot from your sessions today and from previous sessions of engagement with third sector groups.

I can talk only about what we will do rather than what we have done. We have not necessarily targeted BME, as we feel that we are representative of the community that we serve. Although this issue is always on the agenda and it

runs through everything, there has not been specific positive action targeted. However, where we recognise that there is gap—which, as I have said, is at the senior level—that will feature in the review and we will work with partners to see how we can put things in place to address that. One thing that we do not do very well is assess why candidates are unsuccessful.

Gillian Martin: Maybe I can extend this out to other panellists. Some of you have talked about the positive action that you have taken in recruitment, but there is also retention and progression. We keep hearing from organisations that, particularly at the top level, they have the problem of not having proper representation, so progression is something that needs to be looked at.

I ask the other panellists what positive actions they have used and how their effectiveness has been assessed. I would also ask the question that I asked Louise McGunnigle: what assistance have you had from expert equality organisations in the actions that you have taken?

Lynda Thomson: We do not have many people in our organisation to whom that issue would apply, so it causes us a challenge. Our positive action is around attracting people to the organisation. We are working specifically with organisations to try to make working with us more attractive and so that we can get a—[Inaudible.] We are often looking for people who are specialists in a field, which makes it quite difficult to bring in people. We have just agreed a massive investment in a youth employee programme to try to help that along. For the first time, our organisation will meet the Scottish Government targets on youth employment in the next year, which is great. As part of that, we are working with organisations to specifically target some of that investment at bringing some black and minority ethnic young people into the organisation. That is probably the biggest thing that we are doing.

The other thing that we are doing is working with Backbone and some of the other organisations in our sector to deliver a symposium to celebrate diversity in the outdoor and environment sector. It depends on everything that is going on, but we hope that that will happen next year. Giving people opportunities to get into our sector is our biggest challenge.

11:00

Chris McCoy-Lavery: To answer the final question that was put, we have learned quite a lot about definitions and being fully inclusive from the organisations that we have worked with, such as BEMIS. When we talk about race, we are referring to a group of people defined by their race, their

colour and their nationality, which includes citizenship and ethnic and national origins. We include the whole legal definition of people within that.

On disability, we have learned from people and organisations not to assume or make assumptions about what people want or need. We have gone out and asked them. At the beginning of the accessible tourism project, we went out and did 17 consultations across the whole of Scotland with different groups. We had one group in Inverness with 50 assistance dog owners: we had 50 owners and 50 dogs in one room, which was quite interesting and fun. The dogs were better behaved than the people, but we did a great job. They were saying, “Do not assume what we want. Ask us. Talk to us.” That has been our development over time: talking and listening. The most important thing is to listen and then act on what you hear, rather than assume that you know what people want.

We have developed our policies and plans, and we have staff groups in the organisation. We have an inclusive network alliance group, which is staff with disabilities, but we include everybody in that group, such as diversity communities and people with long-term health issues. We have used that group, and we have learned the lessons from working with our external teams about that. We have a carers group that includes people who are caring full time. We have learned from carers’ organisations that we are working with, such as VOCAL. We have learned lessons as we have gone along, and we have tried to apply them to all the policy that we have developed.

Alexander Stewart: We have heard today and throughout the evidence sessions that there is a very mixed picture of both training in organisations to ensure a diverse workforce and the support that ethnic minority employees receive when they are in an organisation. What have you put in place to ensure that employees are retained? We have heard today about training that has been put in place to support and develop a diverse workforce. How successful have you been in achieving that?

Lynda Thomson: We have not been particularly successful in increasing the diversity of our workforce, partly because of our tiny turnover—3 per cent is very low—so we try to do things in a slightly different way. The size of our workforce provides us with a real challenge when we are trying to provide support to people without pointing fingers at them. We have had some feedback that people do not want to be singled out, as that makes things awkward. We have a women’s network, we are talking about carers and we have different specialist groups, but with the tiny numbers that we have, that is a really difficult conundrum for us. We are encouraging the

conversations that you would normally expect—we expect people to have one-to-one conversations with their managers—but we also have a very open intranet. Our chief executive puts up blogs that allow feedback and interaction, and various other members of staff do similar things. We try to encourage support through various different mechanisms.

The understanding self sessions that I mentioned earlier are another one of our ways in. Unsurprisingly, we found that people are not necessarily comfortable talking about themselves and their personal values, so we have been trying to promote such conversations as being okay and comfortable to have. We are trying to upskill people to have those conversations and know when it is time to move those conversations on.

We are doing a lot around diversity, but, to go back to your original question about impact, we have had very little impact in terms of increasing the diversity across the organisation. We hope that we will, through the wider—[Inaudible.]—work. There is a lot more to it than just training and support for us.

Chris McCoy-Lavery: In our formal induction training, we have a session on equality and we have one on inclusive tourism. That is what we do—tourism is for everybody—so we build that into our induction. We have just started a new training course called exploring diversity perceptions. We had about four sessions in February before lockdown, but we had to stop because it was classroom training. We had a lot of people signing up for that and people were being encouraged. Part of that was unconscious bias training, but moving it on into a different area. We are developing our process about inclusion, and we have a big LinkedIn learning contract so people can do online training. We have a full-time learning development manager and we have an executive, and we put on lots of formal training.

We have all the staff groups that I mentioned earlier, and they have a hotline to me. They talk to me and they share any concerns that they may have. I mentioned earlier the first contact officers. There are 10 of them, and each of those support groups has a first contact officer as a member of the team who attends all the meetings. They can have a one-to-one with anybody in that group who has any issues that they do not want to talk about publicly in the group—although the groups have a rule that what is said in the group stays in the group, so nothing is reported back. It is a secure environment. From staff surveys, we know that people have been really pleased and comforted by the fact that they have this place to go.

Those groups have a Microsoft Teams site on our intranet so that people can talk to each other online between meetings. As I said, there is a

hotline, so people can also talk to me. There is real on-going communication in VisitScotland, and I think that people have felt quite supported through the difficult period of late.

Louise McGunnigle: I refer to my earlier points about induction training and the equality and diversity training that we deliver in conjunction with the NHS. Our employee review and development programme is the most significant conversation that takes place between a line manager and a member of staff. That is a one-to-one conversation, and from that specific opportunities and development needs are identified and routed through the learning and development team. There is a mentoring course available and we run a number of surveys. I spoke about the engagement strategy earlier, which is a programme of engagement surveys with staff. All of those come together to support staff.

I mentioned that we have recognised in our analysis that there is a gap in BME representation at the senior level. However, that is not echoed through the rest of the levels in the organisation, which are fairly representative across the board. We will be planning to target support in leadership development and recruitment to address that gap at that senior level.

The Convener: Alexander, are you content with those answers, or do you wish to follow up?

Alexander Stewart: I am content, convener. Thank you.

Alex Cole-Hamilton: Good morning, panel. I have a very simple question about recruitment processes. Do you capture data on unsuccessful applications, and do you review that data against unconscious bias? Who is responsible for that process in your organisations?

Lynda Thomson: This will be quite short. I am responsible. No, we do not look at unconscious bias after the event, and we possibly should. It is a helpful question.

The Convener: You broke up a little bit there, but I think we caught your answer.

Chris McCoy-Lavery: Our recruitment is obviously done by my colleagues in HR. In the past year, we have installed a new Oracle system for training, recruitment and HR. HR monitors the recruitment process through that, although I do not know the details of whether it monitors it for unconscious bias. We have a system in which, if people are unsuccessful, they can request a phone call or an email back from an HR business partner, who will contact them and talk through the reasons why they were not successful, as a learning process. If part of that conversation is anything around equality or disability or race, HR will always come to me and ask the question,

“Chris, can you help?” I work in HR and I am part of the HR team, and they have a hotline to me, so I can help them out.

To date, I do not know of any particular examples of that, but that is the process that we have. I do not know the complete detail, but that is what I know.

Louise McGunnigle: When this was being discussed earlier, I recognised that we have a gap in our organisation, in that we do not have a process for reviewing unsuccessful candidates. We offer very much what Chris McCoy-Lavery and Lynda Thomson do. We offer one-to-one feedback, but we do not analyse that data, which is what I think the question was about.

The Convener: That brings our second session to a close. I thank our witnesses very much for taking part. I know that doing this online is not without its challenges, with signals and various other things. We really appreciate your time and your contributions.

That concludes the public part of this morning’s meeting. The next meeting of the committee will be on Thursday 24 September, when we will continue our evidence sessions on the race equality, employment and skills inquiry. As previously agreed, I now move the meeting into private session.

11:12

Meeting continued in private until 11:37.

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