



The Scottish Parliament
Pàrlamaid na h-Alba

Official Report

EQUAL OPPORTUNITIES COMMITTEE

Tuesday 25 January 2011

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Printed and published in Scotland on behalf of the Scottish Parliamentary Corporate Body by
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EQUAL OPPORTUNITIES COMMITTEE

2nd Meeting 2011, Session 3

CONVENER

*Margaret Mitchell (Central Scotland) (Con)

DEPUTY CONVENER

*Marlyn Glen (North East Scotland) (Lab)

COMMITTEE MEMBERS

*Malcolm Chisholm (Edinburgh North and Leith) (Lab)

*Jamie Hepburn (Central Scotland) (SNP)

Christina McKelvie (Central Scotland) (SNP)

*Stuart McMillan (West of Scotland) (SNP)

*Hugh O'Donnell (Central Scotland) (LD)

Elaine Smith (Coatbridge and Chryston) (Lab)

COMMITTEE SUBSTITUTES

Rhoda Grant (Highlands and Islands) (Lab)

Tricia Marwick (Central Fife) (SNP)

Mary Scanlon (Highlands and Islands) (Con)

Margaret Smith (Edinburgh West) (LD)

*attended

THE FOLLOWING GAVE EVIDENCE:

Colin Chisholm (Scottish Parliament Human Resources Office)

Aneela McKenna (Scottish Parliament Human Resources Office)

Mike Pringle (Scottish Parliamentary Corporate Body)

CLERK TO THE COMMITTEE

David McLaren

LOCATION

Committee Room 2

Scottish Parliament

Equal Opportunities Committee

Tuesday 25 January 2011

[The Convener *opened the meeting at 10:00*]

Decision on Taking Business in Private

The Convener (Margaret Mitchell): Welcome to the second meeting in 2011 of the Equal Opportunities Committee. I remind all members of the committee and members of the public to ensure that all mobile phones and BlackBerrys are switched off completely, as they interfere with the sound system even if they are switched to silent.

Under item 1, I ask the committee to agree to take in private future consideration of a draft legacy paper. Do members agree to do so?

Members *indicated agreement.*

Scottish Parliamentary Corporate Body Equalities Report 2009-10

10:01

The Convener: The second item of business is an oral evidence session on the Scottish Parliamentary Corporate Body's equalities report for 2009-10. I welcome our witnesses: Mike Pringle MSP, a member of the SPCB; Colin Chisholm, the head of human resources at the Parliament; and Aneela McKenna, who is the Parliament's equalities manager and, as such, is well known to the committee.

I want to ask about the five extra strands that are to be incorporated into the new equality duty and how the SPCB has been planning to do that. Would anyone care to comment?

Mike Pringle (Scottish Parliamentary Corporate Body): Historically, the SPCB is committed to going beyond the minimum requirement and has already taken steps to promote equality across those five equality strands. For example, on maternity and pregnancy, we have developed a maternity mentoring programme that provides additional support for staff before they go on maternity leave and until they return to work. We have also offered transgender awareness training to all staff, and we believe that everyone should be able to reach their full potential. Where we have identified a need, steps have been taken to address it.

Aneela McKenna (Scottish Parliament Human Resources Office): We welcomed the Equality Act 2010 and have worked hard to ensure that its requirements are met. We have decided to review the equality framework and examine ways of ensuring that all the strands are covered. We are confident that the strands have been incorporated into the existing framework, but we need to consider in more detail the specific equality objectives that are set for the five additional strands, so we are developing a single equality action plan that will incorporate those strands. In addition, we have been consulting all the protected equality groups to ensure that their issues are raised and that their views are incorporated into the work that we are doing.

The Convener: Do you have an example of some of the action that you are thinking about?

Aneela McKenna: We have done some work around transgender issues and have developed a transgender policy, which will come before the SPCB for agreement in March. Through the work that we have done, we have identified a need to have a policy in place to support staff who want to

make the transition and to provide the necessary support for that.

The Convener: Given that the single equality scheme is a process requirement that does not always result in action, and in view of the statement of the United Kingdom Government Equalities Office that the

“production of an equality scheme is not necessarily the most effective way to integrate equality into the mainstream business planning cycle”,

why are we continuing with the equality scheme when there is no necessity to do so?

Aneela McKenna: We are going ahead with it because it helps with our monitoring of equality issues within the organisation. However, you are right in terms of what the new duties look like. We are expected to integrate the duties more closely into our business mechanisms and our business planning, and we are considering various ways of doing that.

The point of the equality scheme is that it reduces bureaucracy by a significant amount, as it replaces the three schemes that we used to have, which focused on race, disability and gender. We will not be reporting formally on the scheme every year; instead we will report on it every four years. We are also considering not having an annual equalities report and instead mainstreaming that into the SPCB's annual report. There are ways of mainstreaming the work into other areas of the organisation.

The Convener: We have noted that aspiration in the past, and other members might ask about it later.

Given that the new equality duty provides an opportunity to review how equality objectives are reported, there is a concern in the committee that the equality scheme could become a sort of tick-box exercise, which would, in a way, almost satisfy the requirement without adhering to the spirit of what is intended by the new duty. Could you comment on that?

Aneela McKenna: I appreciate your concerns, but we certainly do not want our action plan to result in a tick-box exercise. The plan is there to provide us with a document that identifies what we do. It will be monitored every four years, but it will also be integrated into the operational plans of each of the business areas. It is not expected that the business areas will have to look at the action plan to address issues, because the requirement to consider equalities will be part of their mainstream business.

Colin Chisholm (Scottish Parliament Human Resources Office): One of the more practical aspects of the process is the fact that equality impact analysis is built into all of the significant

work that the management team gets involved in, which means that an equality impact analysis is completed for every significant change that goes through the Parliament. From discussions that we have within the management team, I know that that is always considered. I do not think that it is likely that the issue will drop in terms of importance for the management team.

The Convener: It does no harm to raise the issue, anyway.

We constantly talk about mainstreaming equal opportunities, and I was encouraged—as I was last year—to hear Aneela say that some thought had been given to putting the equalities annual report into the SPCB's annual report. Is there a firm commitment to do that?

Mike Pringle: Yes, that is the way in which we are moving. We want to combine the reports.

Aneela McKenna: We will take the proposal to the leadership group in February, with a view to taking it to the SPCB in March. It will decide whether the report should be mainstreamed into the annual report.

The Convener: That is where we were last year. We were encouraged by the prospect of the report being mainstreamed, but it did not happen. We note with concern that that aspiration was not reached.

We have previously discussed that there is something about the word “mainstreaming” that puts people off, as they do not quite understand what it is about. Is that being addressed? The language that we use around equal opportunities is important with regard to how we get people to engage.

Aneela McKenna: We had a conversation about that recently, and you are right to say that the term “mainstreaming” is not well understood. People think that when equalities are mainstreamed they are completely integrated and there is no need to consider the issue again. In the equality framework, we are considering the language that we use and ensuring that we use alternative ways to get across the message that equalities should be inherent in what people do. We will be developing that work.

The Convener: Would it help to mention fairness issues too? Very often, equality is about fairness. People immediately identify with the idea of fairness, whereas they might find it more difficult in their committees to understand exactly what is meant by an equality process. When you look at mainstreaming in future, will you consider linking it to fairness issues?

Mike Pringle: I am aware that the matter is coming to the SPCB in March. It is useful that we are meeting today so that the issues that you raise

can be raised directly at that meeting of the SPCB. After that meeting, we will send a response to the committee.

The Convener: That would be helpful.

Marlyn Glen (North East Scotland) (Lab): My questions are about engagement and accessibility. The community partnerships programme run by the education and community partnerships team has so far targeted groups representing vulnerable and neglected children, blind and partially sighted young people, and ethnic minorities. In his foreword to the report, the Presiding Officer refers to the programme as one of the “main successes”. Could lessons be learned from such good practice by other teams or departments in the Parliament?

Mike Pringle: As you are probably aware, the community partnerships programme is moving into its third phase. The team is evaluating the work that happened during the pilot phase. It has been a successful programme and it engaged fully with all groups that participated and led to a range of engagements with the political and parliamentary process. Overall, it has empowered people to take action on issues that are important to them. The community partnership team is currently seeking applications from five local community-based organisations across Scotland to participate in the third phase of the programme.

Marlyn Glen: Thank you. I was concerned when I read in the annual report about the percentage of women who led time for reflection. I know that it is partly down to MSPs to make suggestions for who should address us, and I have made suggestions for women leaders that have been taken up—I am not complaining about that—but it is the only opportunity that individuals have to address Parliament. Can that concern be linked to the engagement strategy? The statistics are that 23 and 24 per cent of time for reflection leaders were women, which is not great. Can you be proactive about that?

Mike Pringle: That is a good point. You are right that the percentage of women who have addressed the Parliament is in the mid 20s. You are also right that it is up to all MSPs to try to promote women speakers. When an MSP suggests somebody as a speaker, they should think more about who they nominate and perhaps there should be a discussion about it in the party group. When we think about suggesting a speaker, we might have in mind one particular person and perhaps do not say to ourselves, “Is this a male aged between 45 and 65? Hang on a minute; we’ve had lots of them. Why don’t I think of somebody in my constituency who is female, an ethnic minority or a young person?” Some of the best times for reflection that we have had have been led by people under 20. They do not feel restricted in any way; they say exactly what they

think. That is what we want from time for reflection. Aneela, do you want to add anything?

Aneela McKenna: Marlyn Glen talked about sharing good practice and wider engagement. The committee will wish to note that a new engagement plan will be presented to the SPCB in the next parliamentary session. We could take the issues that you raise to the public affairs group to ensure that they are included in that new plan.

Colin Chisholm might want to say something about the senior management review and the combination of engagement activities with the committee office.

10:15

Colin Chisholm: We are looking to ensure that the committee office and engagement activities function better together. In light of the restructuring of the senior management team, responsibility for those two areas has deliberately been given to one individual, who will manage both to try to make the dynamic between them work better.

Marlyn Glen: The work done by the Public Petitions Committee is probably up there, because it is the only committee that actively engages with the public all the time. The report refers to the Public Petitions Committee inquiry, which found that there was a need to better signpost all individuals to the petitions process. The Public Petitions Committee has since used a range of methods to improve engagement with and access to the Parliament, for example a British Sign Language video, a question-and-answer leaflet in English and Gaelic, and a podcast in a range of languages. Has there been any monitoring or assessment of those methods? If so, do you know whether they are proving popular with the public?

Mike Pringle: I am sorry, I do not know the answer to that.

Aneela McKenna: Would it not be up to the committee to monitor that, given that it is concerned with public petitions?

Marlyn Glen: It might well be, but as the Public Petitions Committee is so actively engaged and you are talking about committees working with the education and community partnerships team, it might be interesting to have a look at that. I can certainly pass that on to the Public Petitions Committee, convener, as I am sure you will, too.

Aneela McKenna: I am aware that the Public Petitions Committee does good monitoring of its impact on equalities, so it might have further information that we could gather and provide to the committee, if you would like.

Marlyn Glen: If there is good practice, other people need to know about it and use it.

How has the uptake of parliamentary tours changed since they were made free to members of the public in 2009? Do you have evidence of particular groups that now visit that did not visit before?

Mike Pringle: Making the tours free has been extremely successful; there is no doubt that charging was a restriction. The decision to make the tours free was a good one. There has been an increase of 130 or 140 per cent in the number of tours.

When the tours were charged for, we MSPs felt reluctant to say to our groups, "Hang on, there's going to be a tour, but it's going to cost you." In my case, I always used to conduct such tours myself. I used to take people round the Parliament, but I am not a professional tour guide and the people who came on those tours lost out on quite a lot. The interesting thing is that now, huge numbers of MSPs say to their groups, "What to do is, organise your tour at 12 o'clock. It takes 45 minutes or an hour. Once the tour is finished, I'll meet you in the garden lobby or wherever and then I'll chat to you and answer any questions." Fewer MSPs are now wandering around giving false information on tours. *[Laughter.]* Well, often we do not know the answer to questions and we do not want to appear to be—anyway—

The Convener: I suggest that you stop digging.

Mike Pringle: I will not dig the hole any deeper. The tours, led by professional tour guides, have been much improved and there has been a huge increase in their number. As I said, MSPs are taking advantage of that. Perhaps Aneela has some tour facts.

Aneela McKenna: I have some statistics on the increase in uptake. The free tours were launched in September 2009, and up to December 2009 there were 55 separate members tours with a total of 869 visitors. Compare that with the same period in the previous year when the tours were charged for: there were two such tours with a total of 30 visitors. You can see the significant difference in how the tours are being accessed. The tours service is at more than 80 per cent of its capacity compared with 45 per cent of its capacity when there was a charge.

Mike Pringle: Another point is that there has been no adverse effect from the decision to close the Parliament to the public on Sundays, as you can see from the figures. I do not think that there has ever been a complaint about people not being able to come in for a tour on a Sunday.

Stuart McMillan (West of Scotland) (SNP): Can the Parliament afford to continue to provide free tours?

Mike Pringle: That is an interesting question, given that we have a restricted budget. The SPCB has not discussed the issue, but my view is that it is important that people come to the building and learn about the Parliament, and I would be extremely reluctant to restrict tours, given how successful they have been. They are of service not just to the public but to members. Charging for tours has not been discussed, and I do not think that it will happen.

Hugh O'Donnell (Central Scotland) (LD): My question relates to an issue that Marlyn Glen will raise. When the committee took evidence during its inquiry into migration and trafficking, I suggested to the UK Border Agency that it would be beneficial if its website or the Home Office website provided a direct link to the Scottish Parliament website and information about Scotland. Has the Westminster Government engaged with you on the issue? If so, what was the outcome?

I will raise a more mundane issue to do with signage at the egress from the Parliament building at the Canongate exit. I have raised the matter casually in the past, because it impacts on visitors and staff. The button that people must press to get out, which is about the size of a 50p piece, poses interesting challenges, not just for people who are visually impaired but for a variety of members of the population. I had fun watching a number of high-level police officers, who were considering vaulting over the gate because they could not find the button. How might signage at the exit be improved? Can the matter be considered?

Mike Pringle: On your first point, Hugh—Mr O'Donnell—

Hugh O'Donnell: Hugh is fine. I know you well enough.

Mike Pringle: Okay, Hugh—I cannot call you Hugh in the chamber.

I am not sure of the answer to your first question. I do not think that there has been engagement with Westminster and the bodies that you mentioned. Aneela McKenna might know more.

Aneela McKenna: I am not sure about connections between the websites, but I can feed back to the committee on that. There has been work with equality officers and advisers in the UK Government. We work closely with them, given the nature of our work. However, we have not looked into the detail specifically on migration and trafficking—

Hugh O'Donnell: It was more in relation to migration. That might be worth putting on the to-do list.

Aneela McKenna: Yes.

Mike Pringle: On Hugh O'Donnell's second point, members of the committee made a similar point last year about the lifts. I think that we sorted out the problem. I take the point on board, and Aneela McKenna and I will perhaps raise it at the SPCB meeting that I mentioned, when we will discuss equalities issues. If the sign is not good enough it should be improved. Do you know whether there is a sign in braille?

Hugh O'Donnell: There is not. There is nothing at all.

Aneela McKenna: A parliamentary question was put to the SPCB on the size of the button at the exit, which used to be smaller. We took advice from the Royal National Institute of Blind People and we made the button a lot bigger and created an edge that people would be able to feel—previously there was no edge on the button, so people could not feel that it was there. We made improvements to the design.

Hugh O'Donnell: For members and staff who remain addicted to nicotine, watching people—whether they are sighted or not—attempt to leave the confines of the Parliament is a source of endless entertainment.

Mike Pringle: We do not want people to leave, do we?

Hugh O'Donnell: I need to get a peaked cap and braided epaulettes, so that I can facilitate people's egress.

The Convener: Interesting though that is, we must move on.

Mike Pringle: It is an interesting point. We did something, but maybe it is not working and we need to address the issue.

Marlyn Glen: Perhaps it would help if the button were coloured. I go out with visitors so that I can say, "There is the button," which is a bit mad. I must not forget to thank you for the improvement to the lift, which has made a difference—although we still have to wait for it.

Mike Pringle: They are all slow.

Marlyn Glen: On the tours, I have received one complaint about the lack of Sunday opening. Do you have evidence that particular groups are visiting the Parliament who did not do so before the tours were made free of charge?

Mike Pringle: I suspect that we are not keeping statistics on that.

Aneela McKenna: I do not have statistics to hand, but we are aware that a number of disability groups have been very much engaged in taking tours. Tours can be provided in different languages, including BSL, on request.

Marlyn Glen: The Parliament's new website has not yet been launched. Do you have a date for the website's roll-out? How will usability and accessibility be improved?

Mike Pringle: There is no specific date for the launch. The timescales on such projects seem to expand. Aneela McKenna will respond to your other question.

Aneela McKenna: We are working towards achieving the AA standard, which is an international accessibility standard to ensure that disabled people can access and navigate websites, for example with different software packages. We are committed to achieving the standard and accessibility has been key to the website project. Disabled people have been involved in testing the new website throughout the process.

Mike Pringle: I said that there is no specific date, but I think that the SPCB's intention is to have the website up and running by the time that new members arrive in the Parliament after the May election—perhaps a bit before then. We are in the hands of those who are providing the website, but we have told them that we want the website up and running as soon as possible.

The Convener: Does the Parliament shop operate at a profit? Have profits gone up since free tours were instituted and the number of visitors increased? Could that offset the cost of the tours?

Mike Pringle: I need to seek clarification on whether the issue is commercially sensitive. I will find out whether I can answer your question. The shop is popular and runs well. Consideration has been given to the range and to which lines are selling. The increase in visitors taking tours has led to increased usage of the shop. Tour guides always point out the shop to visitors. When I show schoolchildren round the building, I always recommend the tablet and the fudge, which is as good as you can get. There is always a dirty dive as the teenagers rush in to buy tablet.

The Convener: Pupils are never satisfied until the last penny is spent.

10:30

Hugh O'Donnell: The report refers to the equality impact assessment toolkit for staff that was made available in December 2009. It was discussed with Mike Pringle, and he indicated that such assessments would become a mandatory requirement for any paper that the SPCB, the strategic leadership team or the operational management group issued. Do you have any information on the uptake of the toolkit since publication of the annual equalities report, which

referred to 13 assessments having been carried out since the toolkit's launch? Do you have more up-to-date figures on that?

Aneela McKenna: Yes, I have some figures. We have made an equality impact assessment mandatory for any strategic decisions that go to the corporate body or the leadership group. That requirement is now in place, and 62 equality impact assessments were done between its being put in place and December 2010. That works out as one staff member in 10 having carried out an equality impact assessment, about which we are pleased. We take steps to monitor the situation and to ensure that the assessments are done, so there is a lot of checking. We are a small enough organisation to be able to check whether assessments have been carried out for specific papers and projects.

Hugh O'Donnell: It is interesting that you are monitoring. We often find that people will go through the process, but there is no indication of whether use of the toolkit had any impact on the policy and changes to it, or whether it is a case of staff having had a look at the assessment and ticking the box. Do you have any examples of a policy position being amended, changed or adjusted as a result of use of the toolkit?

Colin Chisholm: In the previous structure, we had the strategic leadership team and the operational management group. Those two levels have now been combined into one team, but I can say with certainty that, when significant issues were discussed in both of the previous teams, the equality impact assessment was given weight.

Paul Grice, the chief executive, always asks what the equality impact assessment of a policy is. In some of the changes that we have discussed as a management team, there have been lively discussions about whether somebody is sure that something is the case and people have had to explain, in relation to the equality impact assessment, why they have advanced the proposals that they have submitted. The equality impact assessment is not simply a rubber stamp at the end of a discussion. I have been present when there were debates around an assessment. There was a lively discussion about such a matter at a meeting that we had two weeks ago.

Hugh O'Donnell: It might be useful if, in next year's report, there were one or two relatively straightforward examples of how the toolkit has been used, subject to any confidentiality issues. Apart from anything else, that would demonstrate to others who may have a similar toolkit what the outcome is, rather than only the process, which the toolkit provides.

Colin Chisholm: If you want, I can give you a live example. I do not think that it would break confidentiality.

Hugh O'Donnell: That will be fine, if you feel comfortable doing that and as long as the same example will not be in next year's report.

Colin Chisholm: One of the discussions that we have had concerns smoking in the Canongate, which was mentioned earlier. Equality impact assessment was a big part of that.

Hugh O'Donnell: I will not ask you what the conclusions were. I suspect that you would say, "Watch this space."

Is there an opportunity for staff who use the toolkit to provide feedback on how they found it to use? That would allow continual development of the kit, rather than its being a static piece of work. Is there some way to say that one bit was easy, that another was poor, or whatever the case happens to be?

Mike Pringle: The simple answer is yes. Aneela McKenna will give the complicated answer.

Aneela McKenna: We must review formally the equality impact assessment process. It is fairly new, so we need to ensure that it is working and that people are getting to grips with it. In the summer, we consulted everyone who had undertaken an equality impact assessment and asked them what they thought about it. We have made a number of significant changes, especially to the wording of the questions, to make them more easily understood by staff and to make the reporting process much easier. Initially, the equality impact assessment was available only to the individual concerned, but we have been able to find ways of sharing it with other people who are involved in a project or developing a policy.

Stuart McMillan: I have a few questions, as a follow-up to the session that the committee held with you on 3 November 2009. As you will know, there has been a change in the committee's membership since then. My first question relates to equality training. What progress has been made on equality training for members and their staff?

Mike Pringle: We certainly provide such training. As you said, the issue was raised at a previous meeting with the committee. We agreed that training for members is essential and that individual parties, rather than the SCPB, could offer it. We continue to offer training and advice to members and their staff. However, you can take a horse to water but you cannot make it drink, as the adage goes. The truth is that very few MSPs take advantage of training, especially equalities training. Getting them to encourage their staff to take part in such training is not entirely easy. We

could do better, but we cannot make people take part in training.

The SPCB provides opportunities for training not just in equalities but in other areas. A package for new MSPs who will be elected in May is being produced. They will be given the opportunity to engage with all the services that we provide, including training. That approach was also tried in 2007, but the evidence is that very few members took up the opportunity for training. Any suggestions from the committee as to how we can encourage MSPs to take up such opportunities would be welcome. We do all that we can to encourage people to take part in training, but we cannot make them do it.

Aneela McKenna: The SPCB agreed that we would continue to offer advice and guidance to members. Over the past six months, we have been working on an equality toolkit for members, which we have decided to introduce to coincide with the election of new members. It looks at three areas. First, it looks at the member's responsibilities as an employer under the Equality Act 2010. Secondly, it looks at the member as a service provider. Interestingly, the Equality and Human Rights Commission has produced guidance on being service providers that is designed specifically for members. We are using a lot of that information. Thirdly, the toolkit looks at the member's individual needs—for example, if they have a disability, it considers what support is in place for them when they enter the Parliament.

Stuart McMillan: You have anticipated one of my later questions. I was a new member in 2007. I was elected and became a father in the same week, so I had quite a busy week.

Mike Pringle: A busy week? Were you not also pretty busy thereafter?

Stuart McMillan: Indeed. The first six weeks, until the summer recess, were chaotic; I was just trying to manage things. I recommend that you try to speak to new MSPs within that six-week period, but you should also try to speak to them in August or September, when the Parliament returns from recess. By that point, the really chaotic time should have passed.

The summer recess is an opportunity for new MSPs in particular to try to find their offices and so on, so things might have settled down a bit by then. I suggest that you try to get back to the new MSPs after that recess. That might have happened in August or September way back in 2007, but I honestly cannot remember.

Mike Pringle: That is a good point. Of course, the problem is that many MSPs are not here in July and August—they have gone back to their constituencies. We would perhaps need to encourage them to come to the Parliament if we

were to run training courses. It might be worth trying that to see whether that would be more successful.

Of course, as soon as members come back, they suddenly find themselves on committees and all that. All members would agree that there is a frenetic five or six weeks just after they are elected when they are finding out where everything is. Actually, that continues for a considerable time, although not quite at the same pace. Members are learning about their committees and their new constituents. We all know that, as soon as you get elected, all the people who did not get satisfaction from the previous MSP appear and there is suddenly a huge case load.

The issue is difficult. I have suggested to my group that we could have some sort of mentoring scheme in which new members have an old member and, in particular, that member's staff, whom they can ask questions. The staff probably know more about where to go and so on. Certainly when I was first elected, I found it useful to have somebody who really knew what was happening. I do not know whether my group will take up that suggestion—it depends on how many new members we have. However, a mentoring scheme might be useful, so some of the other groups might want to take up that idea.

Colin Chisholm: There is a desire in the Parliament to deliver more training to MSPs, but the problem is their availability. I was not here at the time, but in previous sessions of Parliament, the problem has been with availability rather than with the desire to deliver training. That applies not just to equal opportunities, but to a number of issues. From an HR point of view, it applies to processes and payroll. We would love to get time with MSPs to talk them through a range of matters. There is no lack of desire to deliver training.

Stuart McMillan: On training, and more specifically on equality training, when the committee discussed the issue in November 2009, there was a discussion about providing compulsory equality training for new MSPs' staff. Has that been considered further?

Mike Pringle: Compulsory training is difficult because, before a member of staff can go on training, they have to get the MSP to agree. We would be saying to all MSPs that the training was compulsory for their staff, but would every MSP listen to that? It is a really difficult area. Colin Chisholm has illustrated how difficult it is to get people on training. If we made the training compulsory, people would say, "I can't come to that session, but I'll come to the next one," and then somebody would have to monitor who had and had not done the training. Eventually, at some point down the line, somebody would knock on a

new MSP's door and say, "Listen, you haven't let your staff go to equalities training. When are you going to let them go?" They might say, "Don't worry, I'll do it."

Aneela McKenna: The corporate body made a decision on that.

Mike Pringle: Yes—we felt that it should be up to members to ensure that their staff get the appropriate training, although we can look at that again. We took the view that compulsory training is a difficult concept.

Aneela McKenna: We will try alternative ways of engaging with members. One action for the new equality action plan is to consider ways of ensuring that members are aware of their responsibilities under the Equality Act 2010. It is important that they are aware of those.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): The next issue is about SPCB staff. For this, we have drawn on the fourth equalities staff audit, which was carried out in 2009, and the SPCB response the following year. Although the findings were positive in many respects, there were some areas that caused concern. For example, staff on lower grades did not feel as valued and supported by the organisation as those on higher grades.

10:45

The audit also showed that those in older age bands are less likely to consider that they are valued and supported by the organisation than those in younger age bands. In addition, respondents who reported having a disability were less likely to support the notion that staff understand the importance of equality in the workplace. Those results balanced many of the positive messages in the audit.

A number of schemes are now in place to support staff, such as the dignity at work policy and the maternity mentoring project. What else can be done to support staff, particularly with regard to the finding of the staff audit that those in lower grades do not feel as valued and supported by the organisation as staff in higher grades, and with regard to the finding that staff in older age bands are less likely to feel valued and supported than those in younger age bands?

Aneela McKenna: We highlighted those areas in the audit. The SPCB responded to the points, and there is much more detail when it comes to the work that we are taking forward.

You mentioned the dignity at work policy; we have developed a new network of contacts. We tried to ensure that it is representative across all grades and that it is gender balanced. That

network has been running for a year, providing offline confidential support to staff.

You also referred to disabled staff. Only a very small number of disabled staff expressed concern about not feeling as supported, but we have been working closely with human resource advisers to ensure that staff feel supported in that respect. We have examined our attendance and performance management policies to ensure that disability has been incorporated into them. Line managers need to be more aware of giving support to disabled staff while they are in the workplace.

Malcolm Chisholm: Have you looked into any of the reasons behind the findings, for example with regard to staff in the older age band?

Aneela McKenna: Could you remind me of the point to which you are referring?

Malcolm Chisholm: It is the fact that older staff are less likely to feel valued and supported. Have you analysed what the reasons for that might be?

Aneela McKenna: We have not done any specific analysis of that.

Malcolm Chisholm: A positive action day was held in July 2009, hosted by the Deputy Presiding Officer. The event was arranged in response to recruitment equality monitoring, which highlighted a decrease in the number of black and minority ethnic individuals applying for posts in the Parliament. How successful was the positive action day in recruiting black and minority ethnic individuals? Will there be further positive action days?

Mike Pringle: It was a very positive day. I cannot remember the exact figure, but just over 100 people attended. As a result, people were encouraged to apply for some posts. I think that there were four or six—do you know the figure, Colin?

Colin Chisholm: I do not know the figure off the top of my head.

Aneela McKenna: It was six.

Mike Pringle: Six people were successful as a result of that day. That is positive.

The problem now is that we are not recruiting—there are no recruitment possibilities at the moment. However, the fact that the positive action day was so successful, which everybody who was involved felt, means that we might do it again.

Aneela McKenna: We have continued to consider positive action for black and ethnic minority people, but the present difficulty is the level of staff recruitment. It is difficult to put positive action measures in place. We are not complacent about the issue, however, and we are well aware that there is underrepresentation of

black and minority ethnic people. When we have the opportunity—once we get back to recruiting—we will consider more work to encourage such people to make applications. As a result of the work that we did last year we got a small increase in the number of applications. The figures for the number of ethnic minority staff have gone up slightly.

Jamie Hepburn (Central Scotland) (SNP): Before I ask about the equality framework I have a question about staffing, particularly in relation to the statistics that are laid out in appendix 1 of the report, which is a good profile of corporate body staff by gender, disability and ethnicity. Have any similar attempts been made to profile MSP staff?

Mike Pringle: There have not, that I am aware of.

Aneela McKenna: There has not been one so far.

Jamie Hepburn: Clearly, there is value in doing such a profile for corporate body staff. Is there also value in doing it for MSP staff?

Mike Pringle: That is an interesting question. I think that there would be value in doing it for MSP staff.

Aneela McKenna: Would it be the SPCB's responsibility?

Mike Pringle: It might be difficult, but it would be a worthwhile exercise.

Jamie Hepburn: I understand that you are not responsible for the employment of MSP staff, but I cannot think who else would undertake such an exercise, if it was not the corporate body.

Aneela McKenna: Under the Equality Act 2010, it could be best practice for MSPs to monitor the ethnicity of their staff, or the equalities groups within their staff profile. Employers have responsibility for doing that, which in this case would be the members.

Mike Pringle: Most members probably do not have more than three members of staff.

Jamie Hepburn: I am aware of that, which is why I think that such an exercise is unlikely for each individual office. It occurs to me that if you are creating such a profile for corporate body staff, there must be value in doing it for MSP staff.

Mike Pringle: The SPCB could consider that.

Colin Chisholm: The issue there is that you have 129 different employers. I was sitting here frantically thinking about whether we could create such a profile for MSP staff. It would be difficult because it would start to cloud the relationship between the employer and employee. The only way I could think of doing it would be if we asked

all 129 MSPs to do it individually and then we could somehow help to pull the answers together. However, I do not think that we could do it because it would cross the line in the employer-employee relationship.

Jamie Hepburn: It is good to hear that you are thinking about how it could be done, Mr Chisholm. That is appreciated.

I am aware that the corporate body is reviewing the equality framework. Will you give us an update on that? *[Interruption.]*

The Convener: Before we go any further, I advise members that BlackBerry should be switched off.

Mike Pringle: I do not have a BlackBerry with me.

Jamie Hepburn: It was me. I apologise.

Mike Pringle: I leave mine in the office so that I do not get into trouble. Just do not bring it—that is the best way.

We have taken steps to review the equality framework while taking account of the Equality Act 2010 and the public sector equality duty. We will merge our existing equality schemes on race, disability and gender into a single equality action plan that encapsulates all the protected groups that are covered by the act. That will be reviewed every four years and monitored every year by the SPCB equalities officials.

Jamie Hepburn: Where are we with that now?

Aneela McKenna: We have just completed consultation on the framework. We have asked a number of equality groups throughout Scotland for their views on what we should be doing. We have also tried to look at what the gaps are in our existing framework. We are at the stage of developing the strategy and the action plan and trying to agree that with all the group heads throughout the organisation with a view to going to the SPCB on it in March this year.

Colin Chisholm: I can confirm that Aneela McKenna recently joined the HR team. She said to me that she will not be doing anything else because she will be working pretty much exclusively on the framework to ensure that we hit the March deadline. It is a high priority for us.

The Convener: That arrangement—in which Aneela McKenna's post is now with HR—is a good one. It makes sense.

That completes our lines of questioning. I thank the witnesses for attending what has been an interesting and worthwhile session. I look forward to receiving the additional information that you have undertaken to provide to the committee.

European Union Legislative Proposals (Reporter)

10:55

Meeting continued in private until 11:04.

10:54

The Convener: The third item of business is to appoint a European Union reporter during the pilot of an early warning system for consideration of EU legislative proposals. Hugh O'Donnell has kindly offered to take on the role until the end of this parliamentary session. Do members agree that Hugh O'Donnell be appointed as the committee's EU reporter?

Members *indicated agreement.*

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