

EQUALITY OUTCOMES

1. EXECUTIVE SUMMARY

The purpose of this report is to provide an update to the Policy and Resources Committee on the work being undertaken to review the published set of Equality Outcomes. This work is part of the Improving Equality Outcomes project led by the Equality and Human Rights Commission.

The paper makes recommendations for the Policy and Resources Committee to approve the changes to the Council's Equality Outcomes following advice from the Equality and Human Rights Commission (EHRC) and based on the feedback received through the consultation process.

It is recommended that the Policy & Resources Committee:

- Approve the revised changes to the set of published Equality Outcomes as highlighted in Column 3 of Table 1 in the report.

EQUALITY OUTCOMES

2. SUMMARY

This report outlines the revised changes made by Argyll and Bute Council to the published Equality Outcomes as required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

3. RECOMMENDATIONS

3.1 It is recommended that the Policy & Resources Committee:

- Approve the revised changes to the set of published Equality Outcomes as highlighted in Column 3 of Table 1 in the report.

4. DETAIL

4.1. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 places a number of requirements on public authorities. One of the duties included the Council publishing a set of Equality Outcomes by 30th April 2013. Separate requirements were placed on the local authority and the education authority.

4.2 The Council approved the set of Equality Outcomes at the meeting on 25th April 2013 and the outcomes were subsequently published on the Council website.

4.3 The Equality and Human Rights Commission (EHRC) carried out a project in 2013/14 to monitor how well Scottish public authorities had met the Public Sector Equality Duty (PSED) specific duties.

4.4 The Commission found that many public authorities, including the Argyll and Bute local authority and the Argyll and Bute education authority could benefit from clearer more measureable outcomes.

4.5 In response to the project undertaken, the EHRC have created a programme of work that will directly support the public authorities whose outcomes they feel would benefit most from improvement.

4.6 This programme, Improving Equality Outcomes Project, commenced in late June 2014 and support has been provided to Argyll and Bute Council by the EHRC in progressing with the review of our equality

outcomes. As a result we will publish our renewed outcomes in December 2014 and will be expected to report in 2015 on:

- Any progress we can identify having made towards achieving the original set of outcomes
- Activities and results of the work within this project
- Where possible, progress towards meeting renewed outcomes

- 4.7 The initial feedback provided by the EHRC was that the equality outcomes for Argyll and Bute Council (both the local authority and the education authority were published in the same report) would benefit from having an improved structure and rationale as to why the outcomes were chosen, clearer links to local and national evidence and the detail of how we will measure progress towards achieving the set outcomes. In addition they recommended that it would be beneficial for the council to revise the wording of some of our published outcomes.
- 4.8 At the Policy and Resources Committee meeting on 21st August 2014, it was agreed that the draft Equality Outcomes should go out for consultation. The proposed outcomes were made available through the website and The Hub and were sent out by Argyll Voluntary Action on the Council's behalf to their network of contacts.
- 4.9 A small number of responses were received from the public and the feedback provided has been considered in publishing the final set of Equality Outcomes.
- 4.10 In addition to the public consultation process undertaken, we also consulted with members of the Employee Equality Forum. It was suggested that an internal facing outcome should be included in the future which has a focus on the workforce.
- 4.11 Table 1 of this report identifies the previous outcomes and recommended changes. The revised outcomes for approval are in column 3 of this table. The rationale for choosing these Equality Outcomes is set out in Appendix 1 and is based on review and analysis of local and national evidence.
- 4.12 Based on the advice of EHRC a revised set of proposed Equality Outcomes are listed in the table below together with the outcomes that were published in April 2013 and those that went out for consultation.

Table 1

| 1 - Equality Outcome published in April 2013 | 2 - Proposed change to the Equality Outcome for consultation (August 2014) | 3 - Proposed Equality Outcome for approval | 4 - Protected Characteristics |
|--|---|--|---|
| More people are actively engaged in local decision making | No change | More people are actively engaged in local decision making | Age, Disability, Gender, Gender Reassignment, Race, Religion and Belief, Sexual Orientation |
| Our service delivery is sensitive to the needs of all users | More people are confident that service delivery is sensitive to their needs | More people are confident that service delivery is sensitive to their needs | Age, Disability, Gender, Gender reassignment, Race, Religion and Belief, Sexual Orientation |
| The needs of individuals who provide unpaid care and support are recognised including young carers | Carers are more confident that their needs are recognised | Carers are more confident that their needs are recognised | Age, Disability, Gender |
| The individual needs of care are recognised | Recipients of care are more confident in having their needs recognised | People who use social care are more confident that their personal outcomes are being recognised because they feel they are at the centre of decision making about their lives and the supports that are in place | Age, Disability, Gender, Religion and Belief |
| The gap in educational attainment between people with protected characteristics has been reduced | No change | The gap in educational attainment between people with protected characteristics has been reduced | Disability, Gender |

Table 1

| 1 - Equality Outcome published in April 2013 | 2 - Proposed change to the Equality Outcome for consultation (August 2014) | 3 - Proposed Equality Outcome for approval | 4 - Protected Characteristics |
|---|---|--|--|
| Bullying of young people in schools is reduced | No change | Bullying of young people in schools is reduced | Disability, Gender, Sexual Orientation |
| We have improved engagement with protected groups | Our approach to engagement reflects the diversity of all our communities | Our approach to engagement reflects the diversity of all our communities | Age, Disability, Gender, Gender reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion and Belief, Sexual Orientation |

5. ACTION PLAN

- 5.1 Improvement and Organisational Development will work with Heads of Service to develop robust performance measures which will allow progress to be monitored and scrutinised in an effective manner. It is anticipated that an action plan will be complete by the end of December and thereafter an Equality Scorecard will be available in Pyramid.

6. CONCLUSION

- 6.1 The revised Equality Outcomes meet the requirements of the public sector equality duty. Following approval of the outcomes, an action plan will be developed in liaison with all services and progress on this will be monitored through the performance management system.

7. IMPLICATIONS

- 7.1 Policy – The Equality Outcomes set out the Council's policy position in relation to Equalities and assist in delivering the Council's corporate objectives and meeting the Public Sector Equality Duty specific duties.

- 7.2 Financial – No Implications

- 7.3 Legal – The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 includes a duty for public authorities to publish equality outcomes and report on progress

Any person, including the EHRC, can apply to the Court of Session for judicial review of a public body that they felt was failing to comply with the general duty.

For the specific duty, the EHRC can only enforce.

- 7.4 HR – No implications

- 7.5 Equalities – As part of the Equality duty, the council is required to eliminate discrimination, advance equality of opportunity and foster good relations

- 7.6 Risk – Failure to publish Equality Outcomes could result in adverse publicity for the Council.

- 7.7 Customer Service – No Implications

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Appendix 1

In the process of developing the revised set of equality outcomes for Argyll and Bute Council, a review of national and local evidence in respect of the characteristics was undertaken. Local evidence has included the Single Outcome Agreement and feedback from service users. National data reviewed includes the Equality and Human Rights Commission (EHRC) Triennial Review, various Stonewall Scotland publications and also data released from the 2001 and 2011 census.

Equality Outcome 1: More people are actively engaged in decision making

Evidence base includes: Scottish Household Survey 2012; EHRC Triennial Review, 2010 EHRC; Your Services, Your Say, Stonewall Scotland; Serves You Right, (2008), Stonewall; service feedback.

| Evidence | Source |
|--|--|
| 14% of adults aged 75+ agree they can influence decisions affecting their local area. In younger age groups, the percentage that agrees they can influence decisions affecting their local area ranges from 20-24 per cent. | Scottish Household Survey, 2012 |
| In Argyll and Bute, 29.3% of people agree with the statement "I can influence decisions affecting my local area." This is higher than the total for Scotland which is 21.5% but still relatively low. | Scottish Household Survey, 2012 |
| In 2012, 20% of disabled people agreed that they can influence decisions affecting their local area compared to 22% of non-disabled people. Again there is an issue that such a low number of disabled people feel they can influence decisions made in Argyll and Bute. | Scottish Household Survey, 2012 |
| When looking at religion, 22% of Christians agreed that they can influence decisions affecting their local area compared to Other Religion (18%) and No Religion (21%). | Scottish Household Survey, 2012 |
| A minority of adults aged under 25 now vote at general and devolved elections, under 50% of 18 to 24 year olds voted in the 2005 general election. | EHRC Triennial Review, 2010, EHRC |
| 42% of LGBT people would expect to face discrimination if they were to apply to become a member of the Parent Council at their child's school, increasing to 60% for trans people | Your Services, Your Say, 2014, Stonewall Scotland |
| 74% of lesbian, gay and bisexual people think they would face barriers from the Scottish National Party if they wanted to be selected to run as local councillors. 87% expect to face barriers from the Conservative Party and just over 50% with the Liberal Democrats. | Serves You Right, 2008, Stonewall |
| Less than 25% of elected members in Argyll and Bute are female. | Local research |
| 80% of members of the Youth Forum did not know who their local councillor was. | Argyll and Bute Youth Forum 'Newbies' Residential Report, 2013 |

Equality Outcome 2 – More people are confident that service delivery is sensitive to their needs

Evidence base includes: Your Services Your Say, (2014), Stonewall Scotland; Living Together, (2012), Stonewall Scotland; School Report, (2012), Stonewall Scotland; service feedback.

| Evidence | Source |
|---|--|
| 80% of LGBT people have never been asked for their views about their local service providers | Your Services Your Say, 2014, Stonewall Scotland |
| 12% of LGBT people have had a negative experience which they felt to be related to their sexual orientation or gender identity when accessing sport and leisure facilities, 15% when using parks and open spaces and 6% in community centres. | Your Services Your Say, 2014, Stonewall Scotland |
| 59% thought a lack of services for LGBT was a problem in rural areas | City Lights? 2009, Stonewall Scotland |
| 62% of people say there is public prejudice against lesbian, gay, bisexual and transgender people in Scotland | Living Together, 2012, Stonewall Scotland |
| 48% of lesbian, gay and bisexual pupils in Scotland are never taught anything about lesbian, gay and bisexual issues in their lessons | School Report, 2012, Stonewall Scotland |

Equality Outcome 3 – Carers are more confident in having their needs recognised

Evidence base includes: Scottish Health Survey, 2012; EHRC Triennial Review, 2010, EHRC; 2011 Census; service feedback.

| Evidence | Source |
|--|-----------------------------------|
| 31% of people aged 55-64 were most likely to care for someone else compared to 9% of those aged 16-24 or 75 and over. | Scottish Health Survey, 2012 |
| One in 4 women and nearly 1 in 5 men in their fifties are carers. | EHRC Triennial Review, 2010, EHRC |
| 175,000 people under 18 have caring responsibilities. | EHRC Triennial Review, 2010, EHRC |
| 225,000 people provide 50 hours of care a week despite suffering ill health. | EHRC Triennial Review, 2010, EHRC |
| Young disabled people are twice as likely as their non-disabled peers to be caring regularly for other children or adults. | EHRC Triennial Review, 2010, EHRC |
| 16% of mothers of disabled children are in paid employment, compared with 61% of all mothers. | EHRC Triennial Review, 2010, EHRC |
| Over 10% of the population in Argyll and Bute provide unpaid care. | 2011 Census |

Equality Outcome 4 – Recipients of care are more confident in having their individual needs recognised

Evidence base includes: EHRC Triennial Review, 2010. EHRC; Scottish Health Survey, ; 2011 Census; Your Services Your Say, Stonewall Scotland; service feedback.

| Evidence | Source |
|---|---|
| 10% of the population in Scotland report potential mental health problems | EHRC Triennial Review, 2010, EHRC |
| In 2012, 89% of those aged 16 to 24 year olds described their health as 'very good' or 'good' compared to 52% of those aged 75 or over. | Scottish Health Survey, 2012 |
| In 2012, over 25% of home care clients had physical disabilities. Only 39% of respondents with limiting long-term condition reported being in 'good' or 'very good' health compared to 81% of those with a non-limiting condition and 92% of those without any condition. | Scottish Health Survey, 2012 |
| Over 20% of the population of Argyll and Bute have a long-term health problem or disability where day-to-day activities is limited | 2011 Census |
| 25% LGBT people would expect to be discriminated against by a paid carer supporting them in their home; this figure rises to more than two in five trans people | Your Services, Your Say, 2014, Stonewall Scotland |
| Almost 50% of service users recorded in CareFirst are aged 75+ | CareFirst data |
| Over a third of service users recorded in CareFirst have a recorded disability | CareFirst data |
| Almost 22% of the population of Argyll and Bute are aged 65+ against a national figure of almost 17% | CareFirst data |

Equality Outcome 5 – The gap in educational attainment between protected characteristics has been reduced

Evidence base includes: School Report, Stonewall Scotland; Gypsies/Travellers in Scotland – Summary of Evidence Base, Scottish Government; 2011 Census; Scottish Neighbourhood Statistics; EHRC Triennial Review, 2010, EHRC; Child Poverty Strategy for Scotland, 2011, Scottish Government

| Evidence | Source |
|--|--|
| 49% of lesbian, gay and bisexual pupils in Scotland don't feel that they are achieving their best at school | School Report, 2012, Stonewall Scotland |
| The latest comparable data for S4 pupils (using a three year average 2008/09-2010/11) shows that Gypsies/Travellers had the lowest attainment scores by a large margin – an average tariff score of 88 compared to the Scotland average of 181 | Gypsies/Travellers in Scotland – Summary of the Evidence Base, 2013, Scottish Government |
| 25% of people aged 16 and over have no qualifications in Argyll and Bute, 23% have a qualification at Level 1, 15% at Level 2 and 9% at Level 3. | 2011 Census |
| When splitting the highest level of qualification by ethnic group, 15.55% people under the White: Scottish ethnicity group had obtained a Level 2 qualification. In comparison 6.18% of White: Other, 9.30% of African and 8.77% of other ethnic groups had the same level of qualification. | 2011 Census |
| The average tariff score of S4 female pupils on the school roll in 2012/13 was 199 compared to 183 for S4 male pupils on the school roll for the same year. | Scottish Neighbourhood Statistics |
| The average tariff score of female pupils on the S5 female pupils in 2012/13 was 382 compared with 335 for male pupils and 267 for pupils with additional support needs. | Scottish Neighbourhood Statistics |
| Only 20% of Gypsy/Traveller children of secondary age regularly attend school and this percentage may be even lower in more remote areas | EHRC Triennial Review, 2010, EHRC |

Equality Outcome 6 – Bullying of young people in schools is reduced

Evidence base includes: Living Together, 2012, Stonewall Scotland; School Report, 2012, Stonewall Scotland; Life in Scotland for LGBT Young People – Education Report, 2012, LGBT Youth Scotland; EHRC Triennial Review, 2010, EHRC; service feedback.

| Evidence | Source |
|--|---|
| 58% of Scots aged 18 to 29 say there was homophobic bullying in their schools | Living Together, 2012, Stonewall Scotland |
| 35% of people have witnessed bullying of people who are – or were thought to be – lesbian, gay, bisexual or transgender in their school. | Living Together, 2012, Stonewall Scotland |
| 8% of Scots aged 18 to 29, many of whom were heterosexual, say they were the target of homophobic or transphobic bullying at school | Living Together, 2012, Stonewall Scotland |
| 94% of people think homophobic and transphobic bullying should be tackled including 95% of parents of under-18s and 92% of people of faith | Living Together, 2012, Stonewall Scotland |
| 27% of lesbian, gay and bisexual pupils in Scotland say a teacher has spoken with them about how homophobic bullying is wrong | School Report, 2012, Stonewall Scotland |
| The UK Government estimates that 5-7% of the population are gay, lesbian or bisexual. This group of people still experience targeted violence and homophobia continues to affect their lives, particularly at school age. | |
| LGBT Youth Scotland's Annual Report 2011/12 states that 69.1% of all LGBT young people who responded to an LGBT survey on Life for LGBT young people stated that they had experienced homophobic or biphobic bullying in school. Transgender young people faced an even harder time: 76.9% of transgender respondents had experienced homophobic, biphobic or transphobic bullying in schools, whilst awareness of transphobic bullying was lower: 1 in 4 respondents in school. | Life in Scotland for LGBT Young People, Education Report, 2012, LGBT Youth Scotland |

Equality Outcome 7 – Our approach to engagement reflects the diversity of all our communities

Evidence base includes: Budget 2014/15 Communication Consultation, Argyll and Bute Council; Significant inequalities in Scotland Identifying inequalities in Scotland and priorities for action, 2010, Equality and Human Rights Commission Scotland and the Office for Public Management; service feedback

| Evidence | Source |
|---|---|
| 67% of lesbian, gay and bisexual people say if asked, they would feed their views and experiences to local services. | Argyll and Bute Council: Budget 2014/15 Communication Consultation |
| Nearly half of all Panel members (47%) said local newspapers were 'very useful' to find out about Council decisions, closely followed by the Council's website (42%), while another 40% and 39% respectively said these methods were 'fairly useful'. | Argyll and Bute Council: Budget 2014/15 Communication Consultation |
| Email, local radio stations, other websites and posters are valuable secondary information sources. However, the majority of Panel members said social media such as Twitter and Facebook were not useful to find out about Council decisions. Access issues (16%) and problems in finding information (19%) were given as reasons for not using social media or the council's website. | Argyll and Bute Council: Budget 2014/15 Communication Consultation |
| In Argyll and Bute, 34% of respondents agrees that local authority services are good at communicating services; 35% agreed that serviced are designed for needs and 30% agreed that the local authority was good at listening. | Scottish Household Survey, 2012 |
| 59% of rural LGBT people felt that were was a problematic lack of services in their area | City Lights? 2009, Stonewall Scotland |
| Negative experiences of gay men, lesbians, bisexual and transgender disabled people when participating in community groups | Significant inequalities in Scotland Identifying inequalities in Scotland and priorities for action, 2010, Equality and Human Rights Commission Scotland and the Office for Public Management |