
Equality Mainstreaming Report and Equality Outcomes

Report by Service Director HR & Communications

Scottish Borders Council

27th May 2021

1 PURPOSE AND SUMMARY

- 1.1 **This report seeks approval of the Equality Mainstreaming Report 2021 -2025.**
- 1.2 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 set out specific duties for public bodies (including Local Authorities). These duties include reporting on the mainstreaming of the equality duty, publishing Equality Outcomes, reporting progress on these Outcomes and gathering and using employee information. This means that we have a duty to gather and use workforce data across the nine protected characteristics. We are also required to publish pay gap information and statements on equal pay.
- 1.3 The Equality Mainstreaming Report is required every four years, with an update in the two year period in between. Scottish Borders Council's current Equality Mainstreaming Report was published in 2017 and covers the period 2017 – 2021. An Equality Mainstreaming Update Report was published in 2019 covering the period 2017-2019. We are therefore required to publish an updated Equality Mainstreaming report (Appendix 1) for the period 2021-2025. .
- 1.4 The development of the Equality Mainstreaming Report has taken account of the work that the Council has undertaken on equalities over the past four years and the legislative, economic and social changes, both locally and nationally, that have impacted on equality matters. This has involved looking at progress in taking forward the eight equality outcomes contained within the 2017-2021 Equality Mainstreaming Report. Appendix 2 provides the Equality Outcomes and Performance Trends.
- 1.5 The Licensing Board are also required to publish a Mainstreaming Report and Equality Outcomes. Previously the Board has published its Report independently of the Council's principal Mainstreaming Report. From now and going forward the Licensing Report and Equality Outcomes will be integrated into SBC's report.
- 1.6 The Equality Mainstreaming Report provides details on SBC's Employee Data analysed by the protected characteristics and operational aspects. It also includes information on Equal Pay and the Gender Pay Gap. Appendix 3 provides full details.
- 1.7 Furthermore high level actions are proposed to facilitate further progress

in embedding equalities within the Council for the period 2021 -2025. The Equality Mainstreaming Report concludes that the current equality outcomes are still relevant and should be maintained. The report also incorporates three new Equality Outcomes from the Licensing Board

- 1.8 An Integrated Impact Assessment has been undertaken and is attached to this report as Appendix 4

2 RECOMMENDATIONS

2.1 I recommend that Council:

- a) Agrees the Equality Outcomes**
- b) Approves the Equality Mainstreaming Report as set out in Appendix 1 and the supplementary Appendices 2, 3, and 4.**

3 BACKGROUND

- 3.1 The Equality Act 2010 prescribed a general equality duty for public bodies, including Scottish Borders Council. The duty requires the Council to have due regard for the need to eliminate discrimination, advance equality of opportunity and foster good relations between groups.
- 3.2 This is considered against the nine protected characteristics covered by the Act:
- Age
 - Disability
 - Gender Reassignment
 - Marriage and Civil Partnership
 - Pregnancy and Maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual Orientation
- 3.3 The Scottish Government has prescribed more specific duties which Scottish public authorities must comply with in implementing the general equality duty.
- 3.4 As part of this duty Scottish Borders Council is required to produce an Equality Mainstreaming Report every four years. This must set out Equality Outcomes, results that the Council aims to achieve. There is also a requirement to set out employee information in relation to equalities and to have a section on Education and Equalities.
- 3.5 With the exception of the Employment Reporting the general equality duty and specific duties also apply to the Scottish Borders Licensing Board. In previous years the Board has produced its own stand-alone Mainstreaming Report and Equality Outcomes.
- 3.6 From now and going forward it has been agreed that the Licensing Board Mainstreaming Report will be a section within the Council's Mainstreaming Report.
- 3.7 The Council's current Equality Mainstreaming Report was published in 2017, covering the period 2017-2021. This included a set of Equality Outcomes which the Council aimed to achieve which were as follows:

Outcome 1

- We are seen as an inclusive equal opportunities employer where all staff feel valued and respected and our workforce reflects our community.

Outcome 2

- Our services meet the needs of, and are accessible to all members of our community and our staff treat all service users, clients and colleagues with dignity and respect.

Outcome 3

- Everyone has the opportunity to participate in public life and the democratic process.

Outcome 4

- We work in partnership with other agencies and stakeholders to ensure that our communities are cohesive and there are fewer people living in poverty.

Outcome 5

- Our citizens have the freedom to make their own choices and are able to lead independent, healthy lives as responsible citizens

Outcome 6

- The difference in rates of employment between the general population and those from under-represented groups is improved.

Outcome 7

- The difference in educational attainment between those who are from an equality group and those who are not is improved.

Outcome 8

- We have appropriate accommodation which meets the needs of our diverse community.

- 3.8 The Council produced a progress update on the Equality Mainstreaming Report in April 2019. The Report proposed that the eight current outcomes remain as the basis of the Council's approach to equalities, however a key task was to make sure that the performance indicators used better reflected the Outcomes.
- 3.9 The indicators were reviewed and a large number of indicators were produced from SBC's Household Survey. These indicators supported Outcomes, 2, 3, 4 & 5. However, through a change of operational practices coupled with COVID 19 pressures, the survey has not been conducted since 2019 however progress against each outcome is measured both quantitatively and qualitatively.
- 3.10 There is a statutory requirement to produce and publish a refreshed Equality Mainstreaming Report for the period 2021-2025.

4. SCOTTISH BORDERS COUNCIL'S EQUALITY MAINSTREAMING REPORT 2021 -2025

- 4.1 The draft Equality Mainstreaming Report and Equality Outcomes 2021-2025 (Appendix 1) provides a description of the progress the Council has made and sets out the next steps on the Council's equality journey.
- 4.2 The key areas of improvement recommended to be progressed in 2021-2025 are :
- Better equality performance indicators in relation to performance data.
 - More effective training of Council Employees and Elected Members in relation to equalities.
 - Ensuring service business plans and commissioned services are fully embedding equalities in their development and implementation.
 - Greater effort to be made to engage with equality groups in the development of plans and policies.
- 4.3 The draft Equality Mainstreaming Report has taken account of the legislative, economic and social changes both locally and nationally which are impacting on equalities.
- 4.4 In order to help inform the draft Report we gathered and considered relevant evidence and undertook a number of engagement activities. This included engagement with SBC Community Partnerships, third sector organisations, citizen panels, employees through staff surveys, departmental self-assessment against the requirements of the Equality Duty.
- 4.5 The Equality Mainstreaming Report proposes that the eight current

outcomes remain as the basis of the Council's approach to equalities, together with the three additional Equality Outcomes from the Licensing Board (see para 4.6 below) It also sets out a set of high level actions as a basis for moving equalities forward within the Council in the period 2021-2025.

4.6 The Licensing Board Equality Outcomes

Outcome 9

- Incidents addressed on Licensed Premises where Equality issues may be a factor.

Outcome 10

- Members of the Licensing Board and Members of the Licensing Forum's knowledge and understanding of equality issues increased.

Outcome 11

- People with Protected Characteristics are able to participate in meetings and any other statutory processes of the Licensing Board

4.7 The draft Equality Mainstreaming Report also includes an analysis of employee data by:

- Age
- Disability
- Ethnic Origin
- Gender
- Gender Reassignment
- Marital Status
- Maternity
- Religion and/or belief
- Sexual Orientation

- Carer Status

Further analysis is provided of:

- Applications for Recruitment
- Disciplinary Action
- Grievances
- Equal Pay
- Gender Pay Gap
- Training Courses

Appendix 2 provides full details.

5 IMPLICATIONS

5.1 Financial

- (a) There are no direct financial implications to the Council in respect of the matters highlighted in this report.

5.2 Risk and Mitigations

- a) There are risks of legal challenge and to the Council's reputation if an Equality Mainstreaming Report for the period 2021-2025 is not produced, approved and published.

5.3 Integrated Impact Assessment

- (a) Through the successful implementation of the Equality Outcomes contained within the Equality Mainstreaming Report there will be a

strong and sustained positive impact on equality of opportunity, fostering good relations and eliminating discrimination, victimisation and harassment. An Integrated Impact Assessment has been undertaken and is attached to this report as Appendix 4.

5.4 Sustainable Development Goals

Not applicable.

5.5 Climate Change

There are no direct effects on carbon emissions arising from the proposals contained in this report.

5.6 Rural Proofing

The Equality Mainstreaming Report, through its emphasis on equalities, helps to address many of the issues the Council encounters due to the rural nature of the area it serves.

5.7 Data Protection Impact Statement

Not applicable.

5.8 Changes to Scheme of Administration or Scheme of Delegation

There are no changes required to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

6 CONSULTATION

6.1 The Council’s Corporate Management Team, Executive Director Finance and Regulatory, the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Clerk to the Council and Corporate Communications have been consulted and their comments have been incorporated into the report.

Approved by

Name Clair Hepburn

Title Service Director HR & Communications

Signature ...Clair Hepburn.....

Author(s)

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Background Papers:

[Equality Mainstreaming Report and Equality Outcomes 2017 – 2021](#)

[Equality Mainstreaming Report and Equality Outcomes 2017 – 2021 Update Report](#)

Previous Minute Reference: N/A

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Simone Doyle can also give information on other language translations as well as providing additional copies.

Contact us at [Equality and Diversity](#), Human Resources, Scottish Borders Council, tel. 01835 01835 824000 equalitydiversity@scotborders.gov.uk

