

---

## **MAINSTREAMING REPORT AND EQUALITY OUTCOMES PROGRESS REPORT 2021-2023**

**Report by Director People Performance and Change**

---

**Scottish Borders Council**

**29 JUNE 2023**

---

### **1 PURPOSE AND SUMMARY**

- 1.1 The report seeks approval of the Scottish Borders Council Equality Mainstreaming Update Report 2021–2023 in order that it may be published to meet legal requirements.**
- 1.2 The Council has statutory obligations under the Equality Act 2010 and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 to meet the Public Sector Equality Duty and to mainstream equality throughout its functions. As part of this duty the Council is required to publish a report on the progress it has made every two years. The Council must publish its Update Report for the period 2021-2023.

### **2 RECOMMENDATIONS**

#### **2.1 I recommend that Council:-**

**Approves the Equality Mainstreaming Update Report 2021 – 2023,  
as set out in the Appendix to this report for publication.**

### **3 BACKGROUND**

**3.1** The Equality Act 2010 created the Public Sector Equality Duty. This requires public bodies, when exercising their functions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation;
- Advance equality of opportunity and
- Foster good relations between people with different protected characteristics.

This applies to all of the protected characteristics designated by the Act with the exception of marriage and civil partnership.

**3.2** The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 impose further duties on Scottish public authorities for the purpose of enabling better performance of the Public Sector Equality Duty:

- a) . to report on mainstreaming the equality duty
- b) to publish equality outcomes and report progress;
- c) to assess and review policies and practices;
- d) to gather and use employee information;
- e) to publish gender pay gap information;
- f) to publish statements on equal pay;
- g) to consider award criteria and conditions in relation to public procurement;

**3.3** The Council requires to publish an Equality Mainstreaming Report every four years with an update report in the intervening two years. The Council published its third Equality Mainstreaming report in 2021. This report set out the approach the Council would take to mainstreaming the Equality Duty and also contained its Equality Outcomes.

### **4 CURRENT SITUATION**

**4.1** Scottish Borders Council is now required to publish an Equality Mainstreaming Update Report by the end of April 2023. This report requires to detail the work and progress the Council has undertaken to mainstream the Equality Duty together with progress against the Council's Equality Outcomes and Workforce Data.

**4.2** The draft Update Report is produced at Appendix 1. It provides a range of good practice examples that demonstrate how equality is mainstreamed into our working practices and our achievements made against each Equality Outcome

### **5 IMPLICATIONS**

#### **5.1 Financial**

There are no direct financial implications.

## 5.2 **Risk and Mitigations**

If the Mainstreaming Update Report is not published, the Council will be in breach of its obligations under the Equality Act. Because the report requires to be published, a failure to do so could result in adverse comment from private citizens, interested groups and the media, resulting in reputational damage.

The Equality and Human Rights Commission has statutory responsibility for monitoring the compliance of public authorities with their obligations under the Equality Act. Non-compliance can result in the issue of a compliance notice or the raising of proceedings for Judicial Review.

## 5.3 **Integrated Impact Assessment**

An Integrated Impact Assessment has been prepared and accompanies this report.

## 5.4 **Sustainable Development Goals**

The proposals in this report have no impact on the Council's commitment to the UN Sustainable Development Goals

## 5.5 **Climate Change**

There is no impact on climate change as a result of the proposals in this report.

## 5.6 **Rural Proofing**

There are no rural proofing implications contained in this report.

## 5.7 **Data Protection Impact Statement**

The report contains case studies which in some cases identify individuals. The individuals so identified have consented to the details published in the report.

## 5.8 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes required to either the Scheme of Administration or Scheme of Delegation as a result of publishing the Equality Mainstreaming Update report.

# 6 **CONSULTATION**

- 6.1 The Acting Chief Financial Officer, the Interim Chief Officer Corporate Governance (Monitoring 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 this report

**Approved by**

**Clair Hepburn**

**Director – People Performance & Change**

## Author(s)

Name	Designation and Contact Number
Iain Davidson	Employee Relations Manager Tel: 01835 825221

## Background Papers:

- Appendix 1- Draft Equality Mainstreaming Update Report 2021-2023 with Employee Data

**Previous Minute Reference:** [insert last Minute reference (if any)]

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

Contact us at:

Iain Davidson, Employee Relations Manager, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA.

Telephone – 01835 825221.

E-mail – [idaivdson@scotborders.gov.uk](mailto:idaivdson@scotborders.gov.uk)