



Executive Advisory Body

Date of Meeting	Tuesday 3 November 2020
Subject	Fulfilling our Public Sector Equality Duty – Publication of Mainstreaming Equality Report, Equality Outcomes and Equality Strategy
Agenda Number	3
Paper Number	19.2
Prepared By	Organisational Strategy Manager (Equalities and Corporate Parenting Lead)
Sponsored By	Miriam Craven
Purpose	Decide

Background

- 1.1. The purpose of this paper is to provide an overview of the proposed content of three equality outputs that will help us meet our obligations under section 149 of the Equality Act 2010 (the public sector equality duty) and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 as amended.
- 1.2. Our equality outputs consist of three linked documents:
 - Equality Strategy that details our overall approach, provides strategic overview and is compatible with other corporate plans and strategies.
 - Mainstreaming Equalities Report – content specified by legislation but will include a series of data sets that will be used to inform our Equality Outcomes.
 - Set of Equality Outcomes which will enable Social Security Scotland to better perform the general equality duty and that suitably demonstrates the ambition we and our stakeholders have for us to be an exemplar public body.
- 1.3. This paper asks key questions of the Executive Advisory Body to help inform the direction of these important outputs.

2. Key Points

- 2.1. Following on from the Mainstreaming Equality Outcomes consultation earlier this year we are now focused on the completion of three equality outputs (referenced above). Together these documents will demonstrate our compliance with various equality legislation, but will also seek to focus and co-ordinate equality related activity across Social Security Scotland
- 2.2. The report provided outlines the proposed content within each document and ask the Executive Advisory Body a series of key questions to help further inform their development.



- 2.3. The intention is that these documents will be published by late March ahead of the Scottish election period.
- 2.4. Leadership commitment and input is vital in helping ensure we develop an approach that is viewed as best practice and is embedded throughout the organisation.

3. Conclusion

- 3.1. The Executive Advisory Body is invited to consider the questions outlined in the report, taking account of the recommendations made.

Strategic Objective	Contribution
Dignity, fairness and respect Delivering a service with dignity, fairness and respect at its core.	The approach proposed will support our people to keep our values at the centre of our ways of working.
Equality and tackling poverty Promoting equality and tackling poverty.	The development of Social Security Scotland's Equality Strategy is one of the actions we will undertake to achieve this strategic objective.
Efficiency and alignment Ensuring efficiency and aligning our activities with wider public sector for the benefit of the people we serve.	n/a
Economy, society and environment Contributing to our economy, society and protection of our environment.	Our strategic approach to equality will contribute to society and the economy through recruitment processes, benefit maximisation actions and our stakeholder and public engagement.



Impact Assessment

An Equality Impact Assessment will be completed alongside the development of the strategy and will be published in March 2021.

We have also completed an Islands Screening Statement.



Social Security Scotland Agency Equality Strategy Update

1. Context

In November 2019, it was agreed that we would conduct a public consultation on our [draft Mainstreaming Equality approach](#) and set of outcomes. The consultation was completed in February 2020 and the analysis report published in June 2020.

A paper detailing the consultation process and next steps was presented to the Executive Advisory Body in May 2020.

That paper proposed establishing two Equality Networks. Both were established in July 2020. The External Equalities Network, chaired by Miriam Craven has representatives from nineteen stakeholder organisations (see Annex A) and has held three meetings to date. The Internal Equalities Network has twenty-three members from across Social Security Scotland. The members are located across Scotland, come from different job roles and bring a range of lived experience of equality issues and impact.

Our first Mainstreaming Equality Report will be published in March 2021 with progress reports published every two years thereafter. Our set of Equality Outcomes is required to be reviewed every four years. We will also for the final time be contributing to the Scottish Government Mainstreaming Equality Report.

We are proposing a suite of outcomes – two inward (focusing on our people and culture) and two outward (focusing on improving service delivery and partnerships/engagement).

2. Strategy Development

The Corporate Assurance function has been leading on the organisations corporate response to equality related matters and formulating our strategic approach.

The two Equality Networks have been actively involved in discussing key issues in the development of our approach and supported our improved organisational understanding.

The Internal Network have developed an action plan to explore key priority areas and the External Network have been involved in reviewing our Equality Impact Assessments and how we currently present and report on equality data.



3. Meeting our Legislative Requirements

Under the Equality Act 2010 we have a range of statutory obligations, and this is followed on with specific equality related obligations within the Social Security (Scotland) Act 2018.

The Specific Duties include a requirement to:

- report on mainstreaming the equality duty;
- publish equality outcomes and report progress;
- assess and review policies and practices;
- gather and use employee information;
- use information on members or board members gathered by the Scottish Ministers;
- publish gender pay gap information;
- publish statements on equal pay;
- publish in a manner that is accessible,
- consider award criteria and conditions in relation to public procurement.

Mainstreaming the equality duty has a number of benefits including:

- equality becomes part of the structures, behaviours and culture of an authority
- an authority knows and can demonstrate how, in carrying out its functions, it is promoting equality
- mainstreaming equality contributes to continuous improvement and better performance.

Central to mainstreaming is the gathering and consideration of relevant data. A common criticism of the implementation of the public sector equality duty has been the lack of clear links between data collected and analysed and the reporting on progress and setting and monitoring of specific outcomes.

The range of data required to be published is specified however how we evidence mainstreaming is not proscribed.

The Equality and Human Rights Commission [monitoring](#) of compliance of the Scottish Specific Duties shows that listed public bodies are broadly compliant in reporting. However both monitoring and research show there is a need to provide better evidence of the link between the actions taken to implement equality outcomes and the actual change delivered.

We have held discussions with key stakeholders on how we can meet our legislative requirements and present the data in the most accessible format.

Of note is the expressed wish for us to publish aggregate and disaggregate data and the need to demonstrate an understanding of intersectionality.



Our approach will be compatible with the developing approach of Scottish Government and incorporate Social Security Scotland actions detailed within existing actions plans. These include actions within the Race Equality Action Plan, the Gypsy/Traveller Action Plan and the Gender Pay Gap Action Plan.

Our set of equality outcomes will detail the results we aim to achieve in order to further one or more of the three needs of the general equality duty, to eliminate discrimination, advance equality of opportunity and foster good relations. Overall, our set of Equality Outcomes will state the specific and identifiable improvements we want to achieve for those who experience discrimination and disadvantage. They will apply to our work as an organisation and as a delivery body.

Equality Impact Assessments are a fundamental, integral requirement of good, evidence based decision making. They comprise a structured process followed when developing or revising an activity, policy or practice that uses evidence to better understand the impacts on people and groups because of particular protected characteristics. Equality Impact Assessments are most effective if they are undertaken as early as possible in the decision-making process. We will shortly be publishing Social Security Scotland specific guidance, this mirrors Scottish Government guidance available on Saltire. In addition we are arranging workshops for key colleagues to support their understanding. All draft Equality Impact Assessment will be published within our External Equalities Network for comment.

4. Considerations

Below are a series of questions on key equality issues that would benefit from an Executive Advisory Body discussion to help shape our collective, organisational view and will help us in the final drafting of these important equality outputs.

As a new organisation there is significant interest in the work we do and an expectation that we will be “better” in our approach.

The questions are not in order of importance but have all arisen from conversations during the public consultation, in subsequent Network meetings or with colleagues during discussions on specific aspects of our equality approach.

A. Going beyond the current protected characteristics

Within our published Corporate Parenting Action Plan we had agreed to include the impact on “Care experienced” young people within our Impact Assessment process.

This impact has been added to our Equality Impact Assessment guidance and training.

We have discussed the importance of the impact assessment process, with both our Executive Team and the Agency Leadership Team, stressing how critical they are in effective decision-making. Our senior managers play a key role in identifying where



these are required and supporting staff to make sure these are completed and follow the specified process, accessing the support available throughout.

There are a range of impact assessments that can apply to the development of any policy, activity or procedure. These include but are not limited to Island Communities Impact Assessment, Child Rights and Wellbeing Impact Assessment, Fairer Scotland Duty Assessment.

Question 1: Are there any other groups of people we wish to specifically consider when assessing impact during an Equality Impact Assessment process? (Groups suggested included carers, veterans, digitally excluded, those living in rural communities and those experiencing poverty?)

B. Intersectionality and data

There was also a strong view that we need to clearly define the desired impact on people with protected characteristics and even more importantly those who belong to more than one protected characteristic group/those who have more than one protected characteristic. This intersectionality is known to have exponential consequences and requires recognition and action particularly as it affects a significant proportion of our staff and both current and future clients.

We all have a responsibility to improve our understanding of the impact of intersectionality on all our work. The Internal Equalities Network are exploring different options to address this gap.

To demonstrate our understanding of the impact of intersectionality and to use the data we gather to agree appropriate actions will require analysing and producing our client equality and diversity and workforce data reports to show greater detail than many other public sector bodies.

Initial discussions have been held with colleagues from People Services and Analytic/Statistical colleagues. There was a broad consensus to taking this approach and to explore how to improve the declaration rates within our online Human Resources database (eHR), set an intention to broaden our data sources, and publish more detail. However, there is a need to seek strategic consensus on this approach.

Question 2: Are you content with this approach? From your experience is there any guidance you can provide to help us embed this approach?

C. Measurable Outcomes

A frequent request made during the consultation and continued with engagement via our two Networks is that the outcomes should explicitly use the data we have to



identify inequalities some groups (people with protected characteristics) face and the disadvantages they may face and the action we will take to reduce and eliminate.

This can be achieved by more specific wording and greater clarity in the actions we will take to achieve improvement. Words such as increase or improve do not sufficiently meet the “measurability” requirement.

By using the data we have to detail the change required, the rationale and specify the activity we will take and how we will measure success.

Lack of measurable outcomes is a frequently made criticism of public bodies approach to mainstreaming equality.

Our data currently shows variations in the percentage of individuals from ethnic minority backgrounds and/or identify as disabled who are selected for interview and/or offered a start date with Social Security Scotland compared to those who are not disabled or from an ethnic minority background. This is despite increases in numbers who apply with these protected characteristics.¹

As part of the activity associated with our outcome on workforce diversity we propose undertaking further research to ascertain explanations for these differences
[Redacted]

However, given the need to demonstrate our transparency in this area ensuring readily measurable outcomes would support such activity and engagement of colleagues within Social Security Scotland and our external stakeholders.

Question 3: Are you satisfied with the need to set measurable outcomes to improve accountability?

D. A Framework for Practice

In our paper of 6th April we proposed developing a comprehensive framework to reflect “our way of working” that will bring to the fore the vision detailed within Our Charter and the way we deliver our service, work with others and support our people.

This would highlight the principles and values that underpin our approach and help shape and embed the behaviours we expect of our people. This includes:

- Inclusive Communication Principles
- Trauma Informed Approach
- Intelligent Kindness
- Living our Values
- Listening to and learning from lived experience of our staff, clients and potential clients.

¹ Aggregated Diversity Management Information for Recruitment Campaigns closed between 06/11/2018 – 31/03/2020



The Framework would be detailed within our overall Equality Strategy

Question 4: Are you content to support the development of this over-arching Framework to link the various strategic objectives with our overall approach to equality ?

6. Recommendations.

We welcome the advice from the Executive Advisory Body on these questions. Together this advice will inform the next stages of development for our strategy and outcomes and discussed with our internal and external equality networks.



Annex A: External Equalities Network Membership Organisations

Organisation

Scottish Commission for Learning Disability

Fife Centre for Equalities

Public Health Scotland

The Alliance

National Deaf Children's Society

Close the Gap

Chair, Scottish Councils Equality Network

Multiple Sclerosis Society

Coalition for Racial Equality and Rights

Church of Scotland

Engender

Glasgow Disability Alliance

People First

Scottish Women's Aid

Inclusion Scotland

See Me

Coalition of Scottish Local Authorities

Scottish Independent Advocacy Alliance