

The Highland Council
Communities and Partnerships Committee
9 February 2017

Agenda Item	5
Report No	CP 03/16

Mainstreaming Equality 2015-17

Report by the Acting Head of Policy

Summary

This covering report outlines to Members the requirements on the Council, the Education Authority and the Licensing Board, to provide information on how equality is built into the day to day activities of the three bodies in line with our specific equality duties. Members are asked to consider and note the Mainstreaming Report circulated separately at **Booklet A**.

1. Background and statutory requirements

- 1.1 The Equality Act 2010 provides protection for people from discrimination on the basis of the 'protected characteristics' of disability, race, gender reassignment, age, marriage and civil partnership, pregnancy and maternity, religion or belief, sex, and sexual orientation. It places a 'general' public sector equality duty (PSED) on the Council to give due regard in its work to:
- Eliminate unlawful discrimination, harassment and victimisation;
 - Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.
- 1.2 Additional specific duties were introduced by secondary legislation in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. These are intended to support the better performance of the PSED by listed public bodies, including Local Authorities, Local Education Authorities and Licencing Boards.
- 1.3 As required by Specific Duties, the Council published its first [Mainstreaming Report](#) in March 2013 and a subsequent [report](#) in 2015. In 2017 we are required to publish a mainstreaming report which demonstrates how equality is built into the work of the three bodies and includes annual employee information together with details of the progress made in gathering and using this information to better meet the duty.

2. Mainstreaming equality and the duty to report on progress

- 2.1 Mainstreaming simply means taking equality into account in everything we do. This means considering the three elements of the PSED in our functions as an employer, when planning or providing services, and in decision-making. This can be demonstrated, for example, through the use of equality impact assessments, and by ensuring that equality features appropriately in business planning

processes, committee or other decision-making reports and other policy development mechanisms. In doing so:

- Equality becomes part of our structures, behaviours and culture; and
- We know and can demonstrate how the Council promotes equality, and builds it into continuous improvement and better performance.

- 2.2 The mainstreaming report must also include (if not published elsewhere) an annual breakdown of the information collected under its duty to gather and use employee information and provide details of the progress that it has made in using that information in order to better perform the public sector duty.
- 2.3 The mainstreaming report includes an analysis of the Council monitoring of employees by protected characteristic where information is available. The report includes the findings of analysis relating to age, disability, ethnic group and gender. The Council currently holds data on 100% of the workforce in relation to age and gender and 45% of the workforce in relation to disability and ethnic group. The Council is now collecting data in relation to the other protected characteristics and will report on these when the data allows for meaningful analysis.
- 2.4 An updated Mainstreaming Report is circulated separately (**Booklet A**) and describes equalities work undertaken by the Council, the Education Authority and the Licencing Board for the period 2015-2017. Where possible, links are provided to existing reporting systems, for example to committee reports. It includes a number of case study examples of activities to advance equality and information on how we build equality into the work of the Council through:
- Assessing the impact of our policies and practices, and the Council's decision making processes, on equality groups.
 - Gathering and using equality evidence including employee information.
 - Staff training and development related to equality and diversity.
 - Inclusive approaches to engagement and consultation

3 Conclusions

- 3.1 The appended report describes a wide range of new and ongoing areas of progress to mainstream equality for the period 2015-2017. A number of forward-looking activities are also noted, many of these will contribute towards the revised set of equality outcomes for the Council, Education Authority and Licensing Board.
- 3.2 The three bodies have continuing duties to give regard to equality in the face of financial challenges and work to redesign the Council. We recognise the importance of working with our partners and local communities to promote and advance equality and to strengthen relations between and within communities.
- 3.3 New community planning arrangements are underway with a focus on tackling inequalities. This work will provide opportunities to take account of inequalities faced by people with protected characteristics in particular where these relate to issues of poverty and exclusion.

4 Implications

- 4.1 Financial implications: There are no new financial implications arising from the mainstreaming report. Any planned actions are already resourced.
- 4.2 Legal implications: The Council, Education Authority and Licensing Board have a legal duty to meet the requirements of the Equality Act 2010. Failure to comply has the potential to result in enforcement action, legal challenge or loss of reputation.
- 4.3 Equalities implications: the report covers progress on how the Council, education Authority and Licensing Board are building equality into their day-to-day activities and respond to the need of different equalities groups. The Mainstreaming Equality report forms one element of our specific equality duties.
- 4.4 Climate change implications: There are no climate change implications arising from this report.
- 4.5 Rural implications: Equality activities covering Highland recognise that disadvantage faced by equality groups can be compounded by rurality.
- 4.6 Gaelic implications: here are no new Gaelic implications arising from this report. The final published reports will follow the Council's policy on Gaelic translation.

5. Recommendation:

Members are asked to consider and note the Mainstreaming Report circulated separately at **Booklet A**.

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Background Papers:
Appendix 1 Mainstreaming Equality Report 2015 – 2017

EHRC, [Mainstreaming the equality duty: a guide for public authorities](#)
[Technical guidance on the Public Sector Equality Duty: Scotland](#)