

**FALKIRK COUNCIL**

**Subject:       EQUALITY OUTCOMES 2013 - 2107 AND MAINSTREAMING  
REPORT**  
**Meeting:       EXECUTIVE**  
**Date:           7<sup>th</sup> May 2013**  
**Author:         DIRECTOR OF CORPORATE & NEIGHBOURHOOD SERVICES  
AND CHIEF GOVERNANCE OFFICER**

**1.       INTRODUCTION**

- 1.1       The Equality Act 2010 replaced the existing equality legislation and consolidates anti-discrimination laws into a single Act. It requires public bodies to develop and publicise a set of Equality Outcomes and Mainstreaming Report, replacing the previous Equality Scheme.
- 1.2       The purpose of this report is to seek Committee's approval for the Equality Outcomes (2013-2017) and the Mainstreaming Report.

**2.       BACKGROUND**

- 2.1       A key measure within the Equality Act is the Public Sector General Equality Duty which requires public bodies to be pro-active in tackling discrimination by:
- Eliminating discrimination;
  - Promoting equality of opportunity;
  - Fostering good relations between those who share a protected characteristic and those who do not.
- 2.2       The General Equality Duty is supported by the Specific Duties set out by Scottish Ministers. To meet the requirements of the Specific Duties, public authorities must undertake a range of actions, including:
- Duty to report progress on mainstreaming the equality duty;
  - Duty to publish equality outcomes and report progress;
  - Duty to assess and review policies and practices;
  - Duty to gather and use employee information;
  - Duty to publish gender pay gap information;
  - Duty to publish statements on equal pay;
  - Duty to consider award criteria and conditions in relation to public procurement;
  - Duty to publish in a manner that is accessible.
- 2.3       In respect of the duty to report progress on mainstreaming the equality duty, the Mainstreaming report must be published by 30<sup>th</sup> April 2013 and thereafter at intervals of no more than 2 years.

- 2.4 The duty to publish equality outcomes requires the Council to publish these also on 30<sup>th</sup> April 2013 and every 4 years thereafter. In respect of reporting on actual progress of the outcomes, this must be done at an interval of no more than every 2 years.
- 2.5 Given the deadline for publication, the Mainstreaming report, which incorporates the Equality Outcomes, was published on the Council's internet on 30<sup>th</sup> April 2013, subject to approval by the Executive Committee. This follows the approach taken with previous such reports.

### **3. EQUALITY OUTCOMES**

#### **What is an Equality Outcome?**

- 3.1 An equality outcome is a result which, as an Authority we aim to achieve, in order to further one or more of the needs mentioned in the General Equality Duty; namely eliminate discrimination, advance equality of opportunity and foster good relations.
- 3.2 By focusing on outcomes rather than objectives, the aim is to bring practical improvements in the life chances of those who experience discrimination and disadvantage. The legislation covers 9 different protected characteristics, which are:
- Age;
  - Disability;
  - Gender Reassignment;
  - Marriage and Civil Partnership;
  - Pregnancy and Maternity;
  - Race;
  - Religion or Belief;
  - Sex;
  - Sexual Orientation.
- 3.3 Besides meeting the statutory requirement, preparing and publishing equality outcomes will help the Council to:
- increase transparency by establishing a clear link between our evidence and the action we are taking to advance equality;
  - ensure that we are addressing the right issues;
  - make better, fairer decisions, which are understood by those affected by them;
  - become more accountable to those whom we serve or employ; and
  - show that we are bringing tangible benefits for communities and employees.

#### **Specific Duties**

- 3.4 The Specific Duties also require that:
- In preparing this set of equality outcomes, the authority must take reasonable steps to involve people who share a relevant protected characteristic and any person which appears to the authority to represent the interests of those people;
  - The authority must also consider relevant evidence relating to people who share a relevant protected characteristic;

- If an authority's set of outcomes does not seek to further the needs of the general equality duty in relation to any relevant protected characteristic, it must publish its reasons for proceeding in this way.
- 3.5 These duties are intended to operate in conjunction with our existing corporate systems and frameworks for business planning and public performance reporting. It is intended to improve outcomes for those who experience discrimination and disadvantage and mainstream equality into every day service provision.

### **The process to Develop the Outcomes**

- 3.6 The proposed Equality Outcomes were developed in consultation with community representatives and representatives from all Services across the Council, and are based on the best available evidence from an extensive evidence review. A summary of the process including how the requirements of the Specific Duties have been met is included in the attached document at Appendix A.
- 3.7 These wide-ranging, aspirational outcomes reflect the Council's Corporate Plan and the Strategic Community Plan themes and outcomes. In summary, the outcomes are:

#### Community Focused Outcomes

- C1. Increased understanding of the people profile and experiences of Falkirk residents through involvement and dialogue.
- C2. Elderly people, Gypsy Travellers and Minority Faith Communities have improved access to services.
- C3. Minority ethnic groups, disabled people, elderly people, young people and LGBT people are fully integrated and participating citizens, feel valued, their differences are respected, and they can live in dignity.
- C4. Housing for older people meets their needs and allows them to remain in their homes for as long as possible.
- C5. Increased employment opportunities for minority ethnic groups; disabled people; young people aged 16-24; and LGBT people across Falkirk.
- C6. Improved support and protection for people who experience gender based violence, and other hate crimes.

#### Employment Focused Outcomes

- E1. Quality employee data available across all protected characteristics.
  - E2. Increased representation of minority ethnic groups; disabled people; young people aged 16-24; and LGBT people across Falkirk Council's workforce.
  - E3. Reduced job segregation and pay gaps within Falkirk Council.
- 3.8 In addition to contributing, where relevant, to the Community and Employment focused outcomes, Education Services have a requirement to have their specific education focused outcomes. These are noted below:

### Education Focused Outcomes

- EA1. LGBT school pupils feel included and safe in their schools.
- EA2. Improved educational attainment, achievement and attendance for:
  - (a) Gypsy Traveller children
  - (b) Pupils with social, emotional and behavioural difficulties.

3.9 Within schools, the following protected characteristics apply:

- Disability;
- Gender Reassignment;
- Pregnancy and Maternity;
- Race;
- Religion or Belief;
- Sex;
- Sexual Orientation.

3.10 Because many of the Equality Outcomes are linked to themes and priorities within the Falkirk Area Strategic Community Plan (2010 – 2015) and the Council's poverty strategy, Towards a Fairer Falkirk (2011 – 2021), many of the activities required to achieve the outcomes are already underway across Services, or are planned as part of existing Service Plans.

3.11 Services will be reviewing their Service Plans and will take into account further actions that will enable the Council to achieve the outcomes.

## **4. MAINSTREAMING REPORT**

4.1 In accordance with the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, Falkirk Council is required to publish a report by 30 April 2013 on the progress it has made in integrating the general duty to its functions, so as to better perform that duty. This is known as a Mainstreaming Report. This will be Falkirk Council's first Mainstreaming Report, and will also include:

- An annual breakdown of employee information, such as the composition of the workforce and information on recruitment, development and retention;
- Details of the progress that the Council has made in gathering and using that information to enable it to better perform the general equality duty;
- Details of gender pay gap information and the Council's Equal Pay Statement;
- Information on occupational segregation on both a horizontal and vertical structural bands;
- The agreed Equality Outcomes that the Council will work towards over the next 4 years.

- 4.2 The report, as attached as Appendix A, identifies what Falkirk Council has done and what it continues to do to enable equalities to be mainstreamed across the Council's functions and activities. It also outlines the work that will be done over the next few years to strategise mainstreaming, and to ensure that activities are structured and co-ordinated across the Council.

## **5. ARRANGEMENTS FOR REPORTING PROGRESS**

- 5.1 By no later than 30 April 2015, an authority must publish a report on the progress made to achieve the equality outcomes it has published, and thereafter it must report on progress at intervals of not more than two years, starting from the date on which it last published a report. Committee should note that the Specific Duties require an authority to publish a fresh set of equality outcomes within 4 years of publishing its previous set of equality outcomes.
- 5.2 The regulations also specify that we must publish a report on the progress made to achieve outcomes in a manner that is accessible to the public. The information should be clearly identifiable and presented in such a way as to enable all who have an interest to access it readily.
- 5.3 If feasible, we should publish this information using an existing means of public performance reporting, such as our annual report. Given that the first progress report is required to be published by 30 April 2015, the Council has time to consider and agree how it will publish this information. This work will be carried by Corporate and Neighbourhood Services and reported to Committee in due course.
- 5.4 In addition, the regulations stipulate that a further mainstreaming report is published at intervals of not more than 2 years, beginning with the date on which the report was last published.

## **6. RECOMMENDATIONS**

6.1 Committee is asked to:

- Agree the Equality Outcomes for the period 2013-2017 and the Mainstreaming Report as provided in the Volume of appendices and their publication on the Council's website;
- Request an update report on Equality Outcomes and progress towards them as required by legislation;
- Request a further Mainstreaming Report as required by legislation.

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Date: March 2013

### **BACKGROUND PAPERS**

Appendix A Equality Outcomes & Mainstreaming Report