



EQUALITY DUTY MAINSTREAMING REPORT

APRIL 2017

1.0 Introduction

1.1 The public sector equality duty, as defined within the Equality Act 2010 and referred to as the general equality duty, came into force in April 2011.

1.2 The general equality duty requires the Scottish Criminal Cases Review Commission (“the Commission”) as a public body, in the exercise of its functions, to have due regard to the need to:

- **Eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010.**
- **Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.**
- **Foster good relations between people who share a protected characteristic and those who do not.**

1.3 The equality duty covers the protected characteristics of:

- **Age**
- **Disability**
- **Sex**
- **Gender Reassignment**
- **Pregnancy & Maternity**
- **Race**
- **Religion or Belief**
- **Sexual Orientation**

The duty also covers marriage and civil relationships, with regard to eliminating unlawful discrimination in employment.

1.4 The specific duties require the Commission as a public body to publish a report on the progress it has made in integrating the general equality duty within the exercise of its function, so as to better perform that duty. The report was initially published on 30 April 2013, and subsequently at intervals of not more than two years.

2.0 Equality Review

2.1 The Commission has undertaken this review in line with the requirements of the general equality duty and to demonstrate the Commission's commitment to ensuring that its working practices and procedures are open and inclusive.

2.2 During 2016-17 the Commission has specifically undertaken the following to further enhance its commitment to the equality duty and overall enhancement of internal practices and procedures:

- The Commission has continued to participate in the compilation of the Public Sector Employment Statistics, providing information on the number of male/female and temporary/permanent staff it employs. These statistics have been updated and submitted to Scottish Government on a quarterly basis.
- The Commission fully participated in the Scottish Government's Youth Employment Statistics Collection, whereby details of any employees aged 16-24 were shared. Within the review period two members of staff were within this age bracket and, in line with the Commission's Youth Employment Strategy, the appointments were made by means of a Youth Apprenticeship Scheme.
- All Commission staff continued to include a specific equalities personal objective within their forward job plans and personal development plans for the period 2016-17.
- The Commission gathered and updated data in respect of all employees by way of its equal opportunities monitoring form. Data captured covered gender, age, disability, nationality and ethnicity. Given the staff complement of the Commission there is no requirement to publish an analysis of this information and therefore this data is retained internally.
- The Commission continued to gather equalities data in respect of all applicants to ensure that ongoing equalities and diversity procedures were effective and any issues in respect of accessibility to the Commission's services could be identified and addressed.

- The Commission undertook a full review of its application form with the aim of simplifying its completion for all potential applicants and making its services more accessible as well as addressing any potential literacy or language boundaries. In addition, a new Easy Read information leaflet was agreed in order to assist potential applicants with learning difficulties access our services. The Commission also introduced a single point of contact for enquiries from potential applicants who requested specific assistance in the application process.
- The Commission's new website went live in 2016-17 – the new website was redesigned with accessibility being one of the key criteria as well as general simplification and ease of use.
- The Commission's staff and Board Members handbooks were reviewed and updated during 2016-17.
- During 2016-17 the Commission updated internal research in respect of legal representation. The purpose of this research was in part to establish if there were any barriers to applicants if they were not legally represented and to identify further areas of research.
- During 2016-17 the Commission completed its ongoing series of information events at Scottish Prisons and further developed the awareness section of the SPS staff induction programme.

2.3 The Commission currently employs a total of 14 staff with a gender split of 57% male and 43% female. Two of the Commission's employees are aged 24 or under.

3.0 Future Plans

3.1 In line with the Commission's ongoing commitment to the equality duty and the overall enhancement of its operating practices and procedures, the Commission has identified the following plans for 2017-18 which will further mainstream the equality and diversity agenda:

- The Commission will undertake a full review of policy and practice impact assessment requirements in order to introduce a more robust, proportionate and effective internal procedure for impact assessing all policies and practices.

- The Commission will put in place a schedule for the completion of impact assessments for all policies and practices which will include details of publication timescales in compliance with the Act.
- The Commission will deliver additional training to staff and Members on equalities and the Equality Act 2010.
- The Commission will formally produce and roll out its Easy Read information leaflet in Scottish prisons and monitor the impact of this. Thereafter, consideration will be given to the development of more easy read leaflets, forms and posters.
- The Commission will continue to work directly with the National Induction Centre at HMP Shotts to develop a local, tailored programme of prison talks with the aim of enhancing understanding of the Commission's role and the application process.
- The Commission will continue to take forward internal research throughout the course of 2017-18 in areas such as legal representation with the aim of identifying issues in respect of accessibility that can be addressed.
- The Commission has committed to the development of a more targeted process of Stakeholder Engagement during the course of 2017-18 as a replacement to the old User Group Forum.
- The Commission will continue to work with Scottish Government and the Public Appointments team in respect of Board succession planning in order to ensure that the Public Sector Equality Duty is met and that appropriate work is taken forward to promote gender balance and diversity.



EQUALITY OUTCOMES

As part of the Commission’s commitment to the Equality Duty and in accordance with the duties placed upon it, the following equality outcomes have been developed. Progress on the achievement of these outcomes will be reported by 30 April 2019.

The development of the Commission’s equality outcomes has also been undertaken in line with its general commitment to the Scottish Government’s National Performance Framework, and in particular, its contributions to national outcome 7:

We have tackled the significant inequalities in Scottish Society.

Equality Outcome 1:	The Commission’s service is equally accessible to all persons convicted of a crime in Scotland.
Purpose:	To enhance systems, procedures and overall accessibility.
Protected Characteristic:	All characteristics
General Duty:	Eliminate unlawful discrimination, harassment and victimisation, and advance equality of opportunity.
Outcome:	<p>The Commission will undertake further research during the year in respect of the level of representation of its applicants and identify ways in which it can assist those who are unrepresented</p> <p>The Commission will produce and roll out its new “easy read” information leaflet in Scottish prisons and monitor the impact on accessibility to the Commission’s services before identifying any additional easy read forms/leaflets to be developed.</p> <p>The Commission will continue to develop and deliver its schedule of standard and tailored information talks to Scottish Prisons.</p>

Equality Outcome 2:	There are no barriers in the Commission’s recruitment, training and development opportunities.
Purpose:	Enhance openness, accessibility and governance over recruitment and development.
Protected Characteristic:	All
General Duty:	Eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations.
Outcome:	<p>The Commission will continue to utilise data collection and equal opportunities monitoring techniques along with staff surveys to ascertain the success of these policies.</p> <p>The Commission will continue to provide its staff and Members with ongoing training and development in respect of equalities matters on at least an annual basis.</p>

Equality Outcome 3:	More young people are in work and training.
Purpose:	To extend opportunity of employment and development regardless of age.
Protected Characteristic:	Age
General Duty:	Advance equality of opportunity and foster good relations.
Outcome:	<p>In line with the Commission’s Youth Employment Strategy the Commission will continue to promote opportunities for young people, specifically Youth Apprenticeship Schemes and investigate training opportunities within the Commission.</p> <p>In its wider context, the Commission will continue to set out to influence the approach undertaken by key stakeholders and contractors in the area of youth employment and development.</p>

Equality Outcome 4:	Commission staff are more aware of equality and diversity.
Purpose:	To provide staff with the ability to undertake their roles in a fully inclusive and non-discriminatory manner.
Protected Characteristic:	All
General Duty:	Eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations.
Outcome:	<p>The Commission has in place ongoing staff training and development plans which now specifically require all staff, as part of their personal objectives, to undertake ongoing relevant equalities training each year.</p> <p>The Commission will continue with this requirement and ensure that all equalities training and development is targeted based on the services provided, the outcomes of Commission research into diversity and the general training needs of individual staff. The outcome will be that staff are more aware of the equality and diversity of the Commission’s applicants and their specific needs.</p>