



THE MORAY COUNCIL

GENDER EQUALITY SCHEME

2007 - 2010



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The Sex Discrimination Act 1975 has been amended by the Equality Act 2006 so that it now places a general duty on all public authorities, when carrying out their functions, to have due regard to the need to:

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

‘Due regard’ means that authorities should give due weight to the need to promote gender equality in proportion to its relevance. The greater the relevance of a function to gender equality, the greater regard should be paid to it.

As part of the duty, public authorities are required to have due regard to the need to eliminate unlawful discrimination and harassment in employment and vocational training for people who intend to undergo, are undergoing, or have undergone gender reassignment.

The Equal Pay Act 1970 gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment, where the man and woman are doing:

- like work; or
- work rated as equivalent under an analytical job evaluation study; or
- work that is proved to be of equal value.

The employer will not be required to provide the same pay and benefits if it can prove that the difference in pay or benefits is genuinely due to a reason other than one related to sex.

The Council has specific duties under the Act to:-

- prepare and publish a Gender Equality Scheme showing how it intends to fulfil the general and specific duties and setting out its gender equality objectives.

In preparing a scheme:

- Consult staff, service users and others.
- Take into account any information it has gathered or considers relevant as to how its policies and practices affect gender equality in the workplace and in the delivery of its services.
- In formulating its overall gender equality objectives, consider the need to have objectives to address the causes of any gender pay gap.

Ensure that the scheme sets out the actions the authority has taken or intends to take to:-

- Gather information on the effect of its policies and practices on men and women, in employment, services and performance of its functions.
- Use the information to review the implementation of the scheme objectives.
- Assess the impact of its current and future policies and practices on gender equality, and have due regard to the results of impact assessments.
- Consult relevant staff, service users and others
- Ensure implementation of the scheme objectives.

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- Implement the scheme and their actions for gathering and using information within three years of publication of the scheme, unless it is unreasonable or impracticable to do so.
 - Review and revise the scheme at least every three years.
 - Report on progress annually.

Unlawful discrimination in the Sex Discrimination Act and the gender duty means:

- Discrimination against women and men, in employment and education; in goods, facilities and services and in the exercise of public functions;
- Harassment, sexual harassment and discrimination on the grounds of pregnancy and maternity leave;
- Discrimination on the grounds of gender reassignment in employment and vocational training;
- Discrimination in the employment field on the grounds that a person is married or a civil partner;
- Victimisation.

This Gender Equality Scheme sets out how The Moray Council intends to address the strands contained in the new Gender Equality Duty which must be supported by an action plan.

The Duty came into force on 6 April 2007. This contains a specific duty for public authorities to publish a Gender Equality Scheme no later than 29 June 2007 and an Equal Pay Statement by 28 September 2007.

The total population of Moray at the 2001 Census was 86,940 with an almost 50% division between men and women. There are more females than males throughout Scotland in every Council area other than Shetland and Moray. The higher than average proportion of males in Moray is due primarily to the presence of two Royal Air Force bases in the area. This also has some impact on the age distribution of the population, increasing the numbers of young families and single people.

Ultimately, the Gender Equality Duty can be seen as recognition that despite thirty years of sex equality legislation too little has been achieved in eradicating sex discrimination and sexual harassment, unequal pay, pregnancy discrimination, occupational segregation and other gender inequalities. Women and men continue to experience disadvantage in the workplace, and boys' and girls' experiences in childhood can be very different due in part to persistent gender stereotyping and unequal treatment of the sexes.

Schools are where children spend a large proportion of their formative years and play a vital role in shaping people's attitudes, life chances and choices.

Unfortunately there is still a great deal of gender inequality in the schools system, both in terms of pupils' experiences and the teaching workforce. It is still the case that most school pupils choose their subjects, work experience placements and subsequent careers partly on the basis of gender stereotypes and there are also gender issues around behaviour management and exclusions, bullying and even uniforms.

Figures for Moray:-

Attainment levels 2005/2006	Male	Female
Standard Grade Foundation Level	91%	94%
Standard Grade Credit Level	32%	40%
Higher Level	37%	51%

The above attainment level statistics show that girls are out-performing boys in school, however subject and career choice along with caring responsibilities are pushing women into the lower level of the occupational groups (highlighted on page 7).

Standard Grade selections for S4 pupils 2005/2006

	Male	Female
Art & Design	104	153
Music	97	111
Drama	45	117
Craft & Design	179	26
Science	38	40
Biology	111	262
Chemistry	179	193
Physics	225	79

Home Economics	17	70
Geography	221	167
History	182	178
Modern Studies	98	145
Administration	51	165
Computing Studies	145	60
Graphic Communication	108	44
French	183	247
German	182	144

Girls are twice more likely than boys to choose drama and biology, three times more likely to choose administration and four times more likely to choose home economics. Boys on the other hand are twice more likely to study computing studies and graphic communication, approximately three times more likely to study physics and approximately seven times more likely to choose craft and design. These gender stereotyped choices are reflected in most work placement choices below.

Work Placements 2005/2006

Art & Design	4	7
Performing Arts	4	9
Hair & Beauty	1	75
Hospitality & Catering	42	24
Administration	45	40
Construction	131	2
Retail	69	31
Garage & Engineering	100	1
Animals	14	31
Farms/Land	44	4
Science	8	11
Caring	2	20
Leisure	13	10
Nursery Nurse/Playgroup	28	93
Teaching	39	121
Law	8	15
RAF	13	1

Choice in work placements highlighted that girls favoured hair and beauty, caring, nursery nursing and teaching. Boys on the other hand chose construction, garage and engineering, farms/land and RAF occupations.

This is reflected in career choice. The occupational groupings below show that approximately twice the amount of men compared to women are employed in associate professional and technical professions, seven times more likely to be employed as skilled traders, and three times more likely to work as process, plant and machine operatives. Women on the other hand are more than six times as likely than men to be employed in administrative & secretarial, eight times more likely to work in personal services and five times more likely to work in sales and customer services. Therefore more women than men are working in the lower paid and often part-time sectors of society.

The 2001 Census highlighted:-

Occupational Groups	Male	Female
Managers and senior officials	12.58%	8.38%
Professional	6.35%	8.31%
Associate professional & technical	20.95%	12.37%
Administrative & secretarial	3.17%	17.75%
Skilled traders	26.22%	3.6%
Personal service	1.84%	15.16%
Sales & customer service	2.97%	14.72%
Process, plant & machine operatives	14.48%	4.49%
Elementary occupations	11.45%	15.21%

It can be noted from below that twice as many men than women are employed full-time and women are seven times more likely to work part-time. This is probably due to womens' childcare responsibilities. Of those economically inactive, women are eighteen times more likely than men to be looking after home/family.

Economically Active aged 16-74	Male	Female
Employed Full-time	56.89%	25.82%
Employed Part-time	3.13%	23.87%
Self Employed	11.23%	4.83%
Unemployed	4.13%	2.89%
Full-time student	1.53%	2.39%

Economically Inactive aged 16-74	Male	Female
Retired	11.98%	17.57%
Student	2.63%	3.27%
Looking after home/family	0.64%	11.89%
Permanently sick/disabled	5.17%	3.94%
Other	2.68%	3.52%

Women are frequently disadvantaged by policy and practices that do not recognise their greater caring responsibilities, the different pattern of their working lives and their more limited access to resources. Men on the other hand may be disadvantaged by workplace cultures that do not support their family or childcare responsibilities.

Tackling occupational segregation is vital to encourage gender equality. The Equal Opportunities Commission published the Occupational Segregation in Scotland - Progress Report 1 August 2006. This highlighted:-

- The segregation of women and men into different types of employment has a damaging effect on the economy by failing to make the most efficient use of the potential workforce, contributing to persistent skills deficits and holding back increased productivity.

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- Occupational segregation and the concentration of women in low paid and low status jobs is a major contributor to the gender pay gap, currently standing at 12% for full time employees in Scotland.

The gender duty is intended to improve the situation for men, women, boys and girls by understanding its causes and making positive actions to address inequality.

The Moray Council believes in, and is committed to, the principle of equality of opportunity. The Council recognises the diversity in the community and that all groups do not have the same resources, situations and needs. Therefore the Council must ensure that these issues are reflected in the planning, designing and improving of our services.

The Council aims to meet the general duty, to:-

- eliminate unlawful discrimination and harassment
- promote equality of opportunity between men and women

The objectives will be to:-

- ensure that the promotion of equal opportunities are included in all policies, plans and working practice
- be a model employer and equip our workforce to promote equal opportunities
- report performance on gender equality in the annual Corporate Public Performance Report
- promote diversity and equality through Community Planning
- ensure that we are enabling people to fully participate in consultations

The gender equality duty aims to make gender equality central to the way that public authorities work, in order to create:

- better-informed decision-making and policy development
- a clearer understanding of the needs of service users
- better-quality services which meet varied needs
- more effective targeting of policy and resources
- better results and greater confidence in public services
- a more effective use of talent in the work force

4 EQUAL PAY

The Council has reached an agreement on Single Status which was implemented in December of 2006. The agreement is compliant with equal pay legislation in respect of pay and other conditions of employment. As such a non-discriminatory grading structure has been implemented in Moray which ensures equal pay for work of equal value for all employees covered by the agreement.

In addition, the Council has an Equal Opportunities In Employment Policy which confirms the Authority's commitment to equality of opportunity and aims to ensure that no-one receives less favourable treatment or is discriminated against on account of their gender in aspects related to employment including recruitment, development and training.

An Equal Pay Statement will be published by 28 September 2007.

The Council must outline its methods for assessing the impact of its policies and functions on gender equality. The purpose of impact assessment is both to ensure that decisions and activities do not disadvantage men or women, and also to identify where they might better promote equality of opportunity.

All Council policies and functions must be prioritised for their relevance and importance in relation to the general duties, and arrangements will be in place to investigate their impact.

Policies and functions will be impact assessed according to priority. If evidence suggests that it is likely to be discriminatory or otherwise inhibit progress towards equality of opportunity, then the assessment process will enable the Council to consider whether the policy can be modified to reduce any adverse impact or whether an alternative policy that better promotes equality could be adopted. Assessment guidance has been published to assist services (**Appendix 1**).

6 GATHERING, USING & PUBLISHING INFORMATION

Information and outcomes from impact assessments will be used for consultation purposes, training staff and for preparing future action plans.

Performance indicators have been created to monitor impact assessments. This will operate as the measuring process to indicate what has been done against what was planned to be done. Further gender equality performance indicators will be created to indicate where improvements can be made.

In addition to quantitative measures, for example:-

- school performance statistics
- amount of women and men represented at all levels of the workforce and in all areas of work
- number of women returning after maternity leave

We will aim to collect qualitative information for example:-

- staff / customer surveys
- complaints

This will help the Council identify gender concerns and highlight the requirements.

This Gender Equality Scheme will be reviewed and updated on a three-yearly basis. The progress made against the Scheme will be published yearly in the Corporate Public Performance Report.

The Council recently undertook consultations with men and women to inform the research project 'Equality in Moray'. The consultation highlighted that:-

- a low wage economy
- limited employment opportunities
- high transport costs
- poor transport links

all combine to make it very difficult for groups of people in Moray to access employment, particularly women with children living in rural areas who lack the support of partners or other family members.

The research examined some of the family-friendly working policies currently in operation within Moray, particularly within the public sector. These policies are key to addressing some of the issues women may experience as barriers to their recruitment and progression within the workplace.

The Council operates a range of family-friendly working measures, including a flexible hours system, job-sharing, 9-3 patterns of working, term-time working and home-working. It is felt by the Council that gender policies have worked well, particularly family-friendly and flexible working arrangements to help employees with children or other caring responsibilities.

Action - Managers to consider all reasonable requests for family-friendly or flexible working from female and male employees.

The childcare voucher scheme was felt to offer a considerable saving to parents but to date the Council has not participated. This would be a great boost for parents as the purchase of the vouchers is tax free, therefore creating a considerable saving.

Action – Introduce the childcare voucher scheme.

Women and men, and boys and girls, have different needs from public services and access them in different ways. Those delivering services need to recognise and be flexible enough to meet these different needs. The aim is better public services for all.

Action - Investigate use of services by men/women through impact assessments and surveys and recommend actions as appropriate.

Some people reported that fortnightly collection of green bins is causing a problem in some areas as rubbish accumulates. Bin bags not in a green bin are not collected and remain lying on the pavements. The Bulky Uplift service caused problems for some women, particularly single women with little family support. These women had to move heavy items out of the house onto the street without assistance.

Action - Investigate refuse collection policies and procedures against gender equality requirements.

ACTION PLAN

Action	Responsible Officer	Completed by
Managers to consider family-friendly working requests	All Managers / Personnel	Ongoing
Introduce childcare voucher scheme	Head of Personnel	August 2007
Impact assess policies and procedures against gender equality and recommend actions	Heads of Service	Ongoing
Carry out surveys regarding use of services by gender	Equal Opportunities Officer	June 2009
Develop equality performance indicators to monitor recruitment into non-stereotypical positions	Equal Opportunities Officer / RIO's	August 2007
Investigate refuse collection policies and procedures against gender equality requirement	Head of Service	December 2007

EQUALITIES IMPACT ASSESSMENT (EIA) GUIDANCE

The purpose of an EIA is to help ensure that the Council does not discriminate and that where possible the Council utilises opportunities to promote equality and good relations between groups.

Policies and functions are prioritised with regard to relevance to highlight which ones should take precedence for EIA.

An EIA involves anticipating the consequences of the Council's functions and policies on different sections of the community, making sure that, as far as possible, any negative impacts are minimised or eliminated and that opportunities for promoting equality are maximised.

It is advised to conduct impact assessments by using a group of people who are aware of the policy or function, its intentions, and how it affects members of the public. Involvement could include policy makers, frontline staff, specialist staff, individuals from equality target groups etc.

Key terms

Direct Discrimination: Treating a person less favourably than another on grounds of race, disability, gender, sexual orientation, religious belief or age.

Indirect Discrimination: The application of a 'provision, criterion or practice' that puts people from different backgrounds at a particular disadvantage and can not be shown to be a proportionate means of achieving a legitimate aim.

Policy: A policy is a set of guiding principles or rules intended to influence decisions and actions that reflect agreed practice.

Function: This is the implementation of the policy and how the activity of the service is delivered.

Equality groups

Black and minority ethnic (B&ME), Gender, Religion and belief, Disability, Age, Sexual orientation.

ASSESSING RELEVANCE OF POLICIES/FUNCTIONS

Column 1 – What is the overall service area that you are assessing? Is it the whole department or the area of work that you are responsible for?

Column 2 – Are there sub-services / areas under the overall service? If so what are they?

Column 3 – What are the specific policies / functions under each of these service areas?

Column 4 & 5 – Please give examples when answering these questions.

Column 6 – State overall relevance

State overall service area	State sub-service areas	Title of function or policy	Could equality groups be differently affected by this policy or function? How much? A – None B – A little C – Some D – A lot Give examples / Evidence	Is there public or staff concern about potential discriminatory practices? How much? A – None B – A little C – Some D – A lot Give examples / Evidence	Overall Relevance High Medium Low

Equalities Impact Assessment

Part 1 – Background

1A – Key details of the function or policy to be equality impact assessed

Title of function or policy	Who are the main department(s) / people involved in delivering this policy and function?	What are the intended outcomes of the policy, what is its primary purpose? What does this policy or function do? Who is this policy / function aimed at? All groups or sections of society?
Participants involved in this equalities impact assessment. Who is carrying out this assessment - policy makers, front-line staff, specialist staff etc?	How will the service users encounter the policy or function or find out about proposed changes? Policy – how will the service users become aware of the policy? Function – how will the service users use this service? How is it delivered?	Details of any other evidence used to assist this assessment. What else have you used to inform this assessment ie surveys, statistics, general information?

Part 2 – Full Equalities Impact Assessment

Consider all the:-

Positive impacts **(Column B)**

- Within your policy or function, what positive initiatives, services etc are already in place ie translation services?
- Which, if any, equality group is affected positively by these policies? How do you know?

Negative impacts **(Column C)**

- What gaps exist which could have a negative impact?
- Which equality group, if any, is affected by these gaps?

Equality Group	Column B Positive impacts of policy or function. What we've got in place.	Column C Negative impacts of policy or function. What we need to put in place.
• Black & Ethnic Minority people (incl. gypsy/ travellers, refugees & asylum seekers)		
• Gender		

• People in religious/faith groups			
• Disabled people, inc. learning disabilities, mental health problems, physical disabilities and sensory impairments			
• Age			
• Lesbian, Gay, Transgender and Bi sexual people			

Part 3 – Recommendations

Guidance Note: Please set out the series of recommendations developed as an outcome of Part 2. These should include recommendations to address both potential positive and negative impacts listed in Part 2.

Recommendation Look at the function / policy and examine how it will be used by each of the equality groups based on your assessment and decide if you are positively discriminating in some areas. Can it be accessed by all groups equally or are there negative impacts at the moment which need to be addressed? Make sure any changes proposed are again assessed to ensure it does not discriminate towards any group. What are you going to do to meet equalities requirements? You may need to prioritise these actions if there are a lot of them.	Person / Department / Partner agency responsible for implementing recommendation	Date recommendation to be completed by
..... Final Sign Off. Signature of Director - Date Work Completed -		



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