

Minutes
Equality and Diversity Corporate Advisory Forum
Friday 30 August 2013, meeting room 5, Annexe

Present: Robin Paterson, Grant Cruickshank, Sean Hoath, Jim Grant, Nichola Smith, Anne Duncan, Councillor Cree, Councillor McGillivray, Sonia Campbell, Don Toonen

Apologies: Amanda Gregory

1. Welcome and Introductions

Don welcomed all members and noted that the forum now represents all the departments within the Moray Council.

2. Equality outcomes

Members of the Forum are invited to give feedback to the draft policy on bullying in relation to adults by Friday 13 September. Don will contact Jane Mackie about finalising the draft policy and Jo Ferguson about existing relevant training opportunities.

In its current form, the draft is not fully consistent with existing HR policies on harassment. Grant will report to Don about these inconsistencies.

Once the draft is approved by the EDCAF it will be submitted to the Communities Committee with a recommendation to submit it to Full Council and to the Public Protection Partnership.

Don will prepare an implementation plan for the equality outcomes for the next EDCAF meeting.

3. Mainstreaming report

The Forum accepted the recommendations in **paragraph 3.5** of the report aimed at mainstreaming equalities.

Don will contact ICT to set up a page on the Moray Council website to specifically publish the papers for the Forum.

With regards to **paragraph 3.6** of the report submitted to the Forum, the Forum expressed concern about the low response rate among exiting staff to equal opportunities questionnaires. Despite various attempts made by HR over the last few years to obtain such information we still have a substantial data gap regarding the protected characteristics of disability, race, religion, sexual orientation and gender reassignment. This makes it difficult for the Moray Council to demonstrate that it does not discriminate on the basis of any of the protected characteristics in relation to career development, training, disciplinary actions or redundancies.

The response rate among new applicants is good and the analysis of the recruitment process demonstrates that there is no bias against any of the protected characteristics in relation to progressing through the various recruitment stages.

At the heart of the matter lie two issues:

1. The burden of proof in relation to discrimination claims is on the employer
2. Staff are not required to return completed equal opportunities questionnaires

The Forum made a number of suggestions to assist in improving the Moray Council's workforce data:

- Raise the concerns with CMT
- Raise awareness about the need for reliable workforce data through Teamtalks or other training opportunities
- Explore the use of incentives to encourage people to return completed equal opportunities questionnaires

Don and Grant will report back to the next Forum meeting on next steps.

4. The Moray Council Budget

Don gave an update on progress with Equality Impact Assessments on the Moray Council's budget proposals.

The Forum recommended that the EIAs for each proposal should be available separately on the Moray Council's website. Don will follow this up.

5. Elgin High School

Anne Duncan expressed concerns that at the time the funding was allocated for the new Elgin High School there was insufficient account taken of the need to accommodate the pupils with complex support needs. As a result the footage assigned to the school may be insufficient. The concern is that pupils with complex needs will be excluded from full participation in education due to the design of the school, for example by having the assembly hall on the 2nd floor of the school. There are additional concerns about sustainable access to the school and about how emergency evacuations would be carried out.

Don was asked to liaise with the Senior Project Officer (Schools for the Future) to ensure that an Equality Impact Assessment was carried out throughout the development process and gain an objective view of the current state of play.

6. EHRC Technical guidance for schools in Scotland

It was agreed that Don will contact the Head of Curriculum Development with a recommendation that the guidance will be forwarded to all the heads of schools in Moray.

Date of next meeting

The next meeting will be on **Friday 11 October at 11 am in meeting room 5, Annexe**

Summary of actions:

1. Contact Jane Mackie about draft anti-bullying guidance: **Don**

2. Contact Jo Ferguson about relevant existing training on adult and child protection: **Don**
3. Give feedback on the draft corporate anti bullying guidance: **All**
4. Ensure draft anti-bullying guidance complements existing HR policies: **Don/Grant**
5. Prepare implementation plan for equality outcomes: **Don**
6. Contact ICT about EDCAF webpage: **Don**
7. Raise the concerns with CMT. **Don/Grant**
8. Raise awareness about the need for reliable workforce data through Teamtalks or other training opportunities. **Don/Grant**
9. Explore the use of incentives to encourage people to return completed equal opportunities questionnaires. **Don/Grant**
10. Publication of EIAs on the Moray Council's website: **Don**
11. Liaise with the Senior Project Officer (Schools for the Future): **Don**
12. Forward technical guidance for schools to heads of schools: **Don**