



FINAL DRAFT SINGLE EQUALITY SCHEME

SINGLE EQUALITY SCHEME

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Phone: 01343 563319

Email: equalopportunities@moray.gov.uk

Write to: Project Officer
Chief Executive's Office
High Street
Elgin
IV30 1BX

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電話： 01343 563319

電郵： equalopportunities@moray.gov.uk

信件郵寄地址： 計劃主任(平等機會)

Project Officer
Chief Executive's Office
High Street
Elgin
IV30 1BX

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Zadzwoń na numer: 01343 563319

Wyślij mail: equalopportunities@moray.gov.uk

Adres korespondencyjny:
Project Officer
(Urząd ds. Jednakowego
Traktowania Mniejszości Narodowych)
Chief Executive's Office
High Street
Elgin
IV30 1BX

Para outros formatos, idiomas ou para obter mais informações, peça para um amigo ou parente que fale a língua inglesa entrar em contato conosco:

Telefone: 01343 563319

Email: equalopportunities@moray.gov.uk

Endereço:
Project Officer
Chief Executive's Office
High Street
Elgin
IV30 1BX

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1. INTRODUCTION

The Moray Council believes in, and is committed to, the principle of equality of opportunity. The Council recognises its responsibilities to encourage the fair treatment of all individuals and to prevent people being excluded from society. We recognise the benefits this brings to Moray. Our vision is to be an equal opportunity employer and to make sure our services and facilities are accessible to all.

Previously we have had in place equality schemes and corresponding action plans for race, gender and disability. We have now developed this Single Equality Scheme covering all equality strands and this forms the basis of our work on promoting equality and diversity through our activities. Through the Single Equality Scheme we aim to give further momentum to the equality agenda, and respond more effectively to the anticipated requirements of the Equality Act in 2010.

This scheme has been developed with the representatives who sit on the Equalities Forum. The Equalities Forum has representation from minority groups with regard to age, disability, gender, race, religion and sexual orientation. The forum is also involved in developing the Single Equality Action Plan.

2. BACKGROUND

The UK Government introduced an Equality Bill in April 2009 and it is expected to become law in Autumn 2010. The Bill aims to improve and strengthen existing laws but also to make the current complex set of discrimination laws much simpler and easier to understand. It is proposed that the Bill will introduce a new streamlined Equality Duty to replace the race, disability and gender equality duties, and which will also cover age, gender reassignment, religion or belief and sexual orientation. It is likely that the Bill will become law in 2010.

The UK Government intends that the new single Equality Duty will be more effective than the existing three separate duties because it will streamline processes and help public bodies focus their efforts on outcomes and action rather than on producing plans and schemes.

The Bill proposes to reduce nine major pieces of legislation, and around 100 statutory instruments into a single Act, making the law more accessible and easier to understand. It will promote fairness and equality of opportunity; tackle disadvantage and discrimination; and modernise and strengthen the law to make it fit for the challenges that our society faces today and in the future. The main elements of the Bill and the aims of the Government are:

- Introducing a new single equality duty
- Using public procurement to improve equality through the public sector duties
- Banning age discrimination in the provision of goods, facilities or services and public functions
- Report on the gender pay gap and ethnic minority and disability employment rates
- Ban secrecy or “gagging” clauses which stop employees discussing their pay with their colleagues
- Extending positive action measures to allow employers to make their organisation or business more representative.
- Political parties will be allowed to use all-women shortlists beyond 2015 and until 2030
- Strengthening the powers of employment tribunals
- Protect carers from discrimination
- Strengthening protection from discrimination for disabled people
- Introducing a new duty on the public sector to consider reducing socio-economic inequalities in the planning and monitoring of the services

The majority of the Bill is expected to come into force in Autumn 2010. Certain parts such as the socio-economic duty may not come into force until 2011. This scheme will ensure that we are prepared for the Single Equality Duty.

3. WHY WE NEED A SINGLE EQUALITY SCHEME

THE COMMUNITY OF MORAY

1. Gender

Moray has a total population of approximately 87,770 people, as at June 2008, with an almost 50% division between men (44,404) and women (43,366).

The 2001 census highlighted that while 56.89% of men worked full time only 25.82% of women worked full time. There was a vast difference between men and women working part time with only 3.13% of men working part time compared to 23.87% of women.

On average women's total individual incomes from all sources are only 60% of men's. Less than 12% of women receive the full basic state pension based on their own contributions compare with 91% of men.

Only 0.64% of men were identified in 2001 as looking after home/family compared to 11.89% of women. 3.49% of households in Moray are lone-parent households with dependant children. National figures show that 66% of lone parents have no savings and 95% of people accessing benefits as lone parents are women.

Domestic abuse affects 1 in 4 women and their children. The majority of abuse is perpetrated by men but we do recognise that abuse can be perpetrated by women. Statistics from Moray Women's Aid highlighted that from 1 April to 30 September 2009, 343 women and 51 children were supported due to suffering the effects of domestic abuse. Within Grampian half of the murders committed in 2007 were the result of domestic abuse.

2. Disability

The 2001 census shows that 5.17% of men and 3.94% of women aged 16 – 74 in Moray are permanently sick or disabled and economically inactive. However Moray is 18% below the national average for residents with a long term illness.

The census collation of school roll by disability declaration highlights that there are 100 primary school pupils assessed as disabled. Within the secondary schools 136 pupils have been assessed as disabled. Required access to adaptations include:-

| | Primary | Secondary |
|---------------|---------|-----------|
| Physical | 39 | 45 |
| Curriculum | 77 | 104 |
| Communication | 56 | 57 |

Rates of limiting longstanding illness and disability increase dramatically with age, and are particularly high in women aged 85 years or over. Scotland wide, around 60% of people aged 85 years or over living in private households

report having a limiting longstanding illness, and approximately 80% of this population report having a disability.

In Moray 150 clients aged 18-64 and 1,120 clients aged 65 years and over were receiving home care as of 31st March 2008.

The Moray Disability Forum was re-convened in 2009 with the intention of the forum being able to raise issues that deal with disabilities and giving people who are disabled be that physical, mental or sensory a voice to overcome discrimination. The forum has indicated what would aid them in being more included within Moray. The Action Plan will be created in consultation with Moray Equalities Forum.

3. Age

The age structure of Moray as per the 2001 census is as follows:-

| Age | Percentage |
|---------|------------|
| 0 - 4 | 5.66% |
| 5 -15 | 14.46% |
| 16 - 24 | 9.51% |
| 25 - 44 | 29.65% |
| 45 - 64 | 24.44% |
| 65 - 74 | 9.09% |
| 75+ | 7.19% |

There is a slightly higher percentage of young people with 20.1% aged under 16 compared to the national average of 19.2%. 16.3% of the population in Moray is aged over 65. This is in line with the national average.

In October 2009 there were 1047 school leavers. 30% of these went into higher education, 26% into further education, 30% into employment, 0.8% into training, 0.2% into voluntary positions, 12% were not in employment, education or training and 11% had moved out of the area.

4. Race

As per the 2001 census less than 1% of the population belonged to an ethnic minority group. However there has been a significant increase since the collation of the census. The General Register Office for Scotland highlighted that a net figure of 2,900 migrants (from the UK and abroad) entered Moray between July 2001 and June 2006. Between mid-2007 and mid-2008 a net figure of 350 migrants (from UK and abroad) entered Moray. It is estimated that in 2009 there are approximately 1,500 Polish nationals in Moray. The most established ethnic minority community in Moray however is the Chinese community.

Between 2002/03 and 2005/06 the Grampian region increased its share of migrant workers in Scotland, from 12.7% to 14.5%. National Insurance Number (NINo) registrations increased dramatically from 20 in 2002/03 to 3,010 in 2005/06 and made up 50% of Grampian NINo registrations. This accounted for 55% of registrations within the Moray area. 5.7% of the total number of people employed in Moray in 2007 were migrant workers.

English as an Additional Language Service highlighted that in November 2009 there were 387 pupils who do not have English as their first language. Within this group there are 41 different languages spoken, the top 5 languages being Polish, German, Portuguese, Punjabi and Cantonese.

5. Gypsy / Travellers

There is a significant Gypsy/Traveller population within Scotland (no official figures exist). Gypsy/Travellers can experience a number of problems, which include negative stereotyping, housing, health and education difficulties. The media can portray a negative slant on Gypsy/Traveller culture.

The Council has a dedicated member of staff to liaise with Gypsy/Travellers, resolve minor disputes with the settled community and deliver services. These services include the provision of portaloos, bins and waste bags. An advice and sign-posting service is also made available to Gypsy/Travellers on unauthorised encampments.

At present, there are no authorised Gypsy/Traveller sites within Moray following the closure of the Chanonry official site in Elgin to progress the Moray Council flood elevation scheme. However Moray Council is examining the feasibility of providing alternative short-stay or halting sites in response to requests from Gypsy/Travellers for smaller scale sites in the Moray area.

6. Lesbian, Gay, Bisexual and Transgender

It is estimated that 5-10% of the UK population are lesbian, gay, bisexual or transgender. There are no recognised LGBT venues in Moray with the closest venues being in Aberdeen.

7. Religion

The 2001 Census highlighted religious affiliation:-

| | |
|--------------------|--------|
| Church of Scotland | 44.32% |
| Roman Catholic | 6.09% |
| Other Christian | 13.28% |
| Buddhist | 0.13% |
| Hindu | 0.02% |
| Jewish | 0.04% |
| Muslim | 0.2% |
| Sikh | 0.01% |
| Another Religion | 0.57% |
| None | 30.63% |
| Not answered | 4.72% |

MORAY COUNCIL EMPLOYEES

Age

Age structure of employees within the Moray Council:-

| | |
|-----------|-------|
| 16 – 24 = | 3.9% |
| 25 – 34 = | 13.6% |
| 35 – 44 = | 26.3% |

45 – 54 = 32.5%
55 – 60 = 16.5%
over 60 = 7.2%

Gender

Even though 73.5% of the Moray Council workforce are women only 33.1% hold the top 2% of senior positions while 39.1% hold the top 5% of senior position.

Race

In the July 2006 workforce profile information only 0.2% of our workforce come from an ethnic background. The Council figures may increase once a more detailed breakdown of classifications are in place, particularly for the category currently named 'white European'.

Disability

3.3% of our employees have declared that they have a disability. All disabled applicants who meet the essential criteria for jobs are guaranteed an interview.

4. WHAT THE SCHEME IS SEEKING TO ACHIEVE

The Council is committed to developing a community in which everyone enjoys equality of opportunity in both service delivery and employment by integrating equality issues into everything the Council does. In order to do this the Council must be active in tackling discrimination and promoting equal opportunities.

In order to address issues with service delivery within the Council we need to involve the community in service re-design. This will be done in two ways:-

- Through equality impact assessment of our policies, decisions and activities
- Consultation with equality groups

Our actions will be based on our community profile to identify priority areas. The removal of potential barriers, the creation of inclusion, the recognition of differences and eliminating the most prominent areas of disadvantage will all help us move in the right direction for improvement to groups in our community.

In order to deliver this there is a need for assessment of our policies, decisions and activities, consultation, training, monitoring and reporting.

Assessment of Policies, Decisions and Activities

The way in which we develop policies, make decisions and conduct our activities should reflect our commitment to diversity and equality. We recognise that we must ensure our current policies and procedures do not discriminate, and that we consider equality fully when we develop new policies and activities. We aim to monitor effectively the impact of our policies and activities. Our objectives in doing this are to ensure every policy and procedure seeks to promote equality and diversity and that when using these procedures and policies we embed consideration of equality and diversity into our decision-making.

Consultation

At the heart of the specific duties is the requirement to consult and involve people to assess our progress on achieving our duties, including how we have developed this Single Equality Scheme. We recognise that to improve equalities and eradicate discrimination stakeholders have to be involved not only in identifying potential discrimination but also in developing solutions and reviewing the progress and impact of those solutions. To maximise the benefits from involvement and to make sure that people have the opportunity to contribute fully, we ensure that external stakeholders are involved in assessing our policies and activities. The Moray Equalities Forum is the advisory and consultative forum for the Community Planning Partnership. The forum consists of local and national representatives covering all of the equality strands. The forum will be consulted to ensure that services provided are meeting the needs of the community and that an equalities perspective is included in the development of policies, strategies or services.

Training

Training staff on equality issues is integral to mainstreaming equalities across the Council. Members and staff all need to have an awareness of equalities issues as well as an understanding of their responsibilities under legislation. Training needs will be identified and training programmes rolled out. Employee Development will continue to provide training on equalities to supplement specific service related training that takes place in Council Departments.

Monitoring

Monitoring is a way of ensuring that the Single Equality Scheme is being implemented and working. It will highlight whether any particular action has been effective and what other action is required.

Included in the remit for Moray Equality and Diversity Corporate Advisory Forum is the monitoring of progress against actions within the Action Plan and the feeding of information about this including any concerns and need for further work, to the Corporate Management Team and Members.

Equalities indicators are being integrated into the Council's performance information system. This will highlight not only the structure of our workforce but also how and by whom our services are being used.

Reporting

Progress against our actions will be reported to the Council's Policy & Resources Committee & Audit and Performance Committee for scrutiny. In addition, we will ensure that progress is reported to the public annually. Our annual reports and list of impact assessments will be available on Moray Council's website www.moray.gov.uk.

5. RESPONSIBILITY FOR IMPLEMENTATION OF THE SCHEME

The Chief Executive and Corporate Management Team are responsible for implementing the Single Equality Scheme which is approved by Elected Members. Elected Members, Chief Officers, Heads of Service and employees all have responsibilities for ensuring that the aims and objectives are achieved.

The Council has established new arrangements to take forward equality and diversity, including the creation of an Equality and Diversity Corporate Advisory Forum. This forum is responsible for providing advice to the Corporate Management Team and Policy & Resources Committee in relation to the impact of existing and future EU, UK and Scottish legislation, policies and practices on equality and diversity and the promotion of equality and fairness in service delivery and employment. They will promote equality and diversity within the Council by assisting in the dissemination of information and staff engagement generally in the equalities and diversity agenda. They will apply an equality impact assessment process to all Council policies and procedures. These arrangements are designed to help mainstream diversity and equality within the organisation and ensure a coordinated corporate response on equality issues.

Service Managers are responsible for identifying the policies and activities which require equality impact assessment, ensuring sufficient information is gathered to inform services on the effects that policies and activities have on equality groups and ensuring the assessments are carried out in-depth and to a standard which will be acceptable to the Equality and Human Rights Commission. Managers must ensure that challenging recommendations are identified to improve access to services and service delivery. Equality impact assessments will be scrutinised by the Equality and Diversity Corporate Advisory Forum and the Moray Equalities Forum to ensure assessments are of an acceptable standard and reflect the different equality groups perspectives. All services will update and develop their Service Improvement Plans as necessary, setting out the particular equality issues facing their service and their arrangements for delivering improvements in relation to these issues. Service Managers will also identify staff who require equality and diversity training and release staff to attend such training.

The Head of Personnel Services is responsible for collecting equalities data on staff and monitoring staff in post and applicants for employment. There will also be a requirement to monitor the gender pay gap. All services are required to collect equalities data to establish how and who is accessing services.

Annual progress reports will be produced by the Equal Opportunities Officer. Once approved by the Equality and Diversity Corporate Advisory Forum and Audit & Performance Committee these reports will be published on our website www.moray.gov.uk.

6. PROCUREMENT AND PARTNERSHIPS

The purpose of procurement is to meet the Moray Council's requirement for goods and services that it cannot provide from within its own resources. Goods and services with a value in excess of the limit for single tender should be acquired by competition. In all dealings with suppliers or potential suppliers, the highest standards of health and safety, fairness, honesty, efficiency and professionalism must be preserved. Compliance with the Council Procurement Policy and Procurement Procedures is essential. This supports ethical standards in procurement.

We will ensure that we buy all of our goods and services through open and fair competition by maximising our options for purchasing from a diverse and competitive range of suppliers including minority businesses, voluntary and community sector groups, small firms and social enterprises. Use of the "Public Contracts Scotland" website to advertise all forthcoming tenders provides the opportunity to maintain these standards.

The Equality Bill contains a provision which will impose a statutory duty upon others to comply with equality duties where they are carrying out work for local authorities.

7. AUTHORISATION AND REVIEW DATES

[To be completed once the Strategy is approved by Communities Committee]

8. LEGAL REQUIREMENTS: WHAT THE LAW SAYS

Legislation is important in setting standards for behaviour. The government has been building up a legislative framework to outlaw discrimination and promote equal opportunities across the public sector and beyond for many years. Between 2001 and 2010 the Race Equality Duty, Disability Equality Duty, Gender Equality Duty and Local Government in Scotland Act 2003 have been in place. It is proposed that the new Single Equality Duty will be in place in Autumn 2010. This Single Equality Scheme will aid us in preparing for this new Duty. A review will take place in 2011 to reflect on the Bill and to ensure we are meeting the requirements.

In order to meet the anticipated legislative requirements of the Single Equality Duty we will extend beyond the focus on race, disability and gender to introduce age, religion and belief and sexual orientation within this single document. In order to meet our duties we must:-

- Impact assess our policies and activities to identify improvements to services and to gather service users information
- Consult with equality groups to ensure services are meeting the needs of the community
- Train our staff on equality issues
- Monitor the progress with regard to the equalities agenda
- Report on our progress against the Scheme annually

ACTION PLAN

To be created in consultation with the Moray Equalities Forum

| ACTION | OUTCOME | RESPONSIBLE OFFICER | COMPLETION DATE |
|--|---|---------------------|-----------------|
| Continue to carry out equality impact assessments on policies and activities which are relevant to equality groups | All discrimination is eliminated within policies and activities and the promotion of equality and good relations identified | | |
| Carry out consultation / involvement with equality groups | Service users are involved in the creation of policies and working practice | | |
| Monitoring of service users to identify who is or is not accessing our services | All services are fully accessible by all members of the community | | |
| Monitoring of complaints | Identify complaints of a discriminatory nature | | |
| Training of staff to meet legislative requirements | All staff have an awareness of equalities and the legal requirements associated with the equalities agenda | | |
| Ensure new build houses are fully accessible both internally and externally and adaptable to suit other disability needs | New build houses are suitable for disabled persons and adaptable for disability needs if required | | |
| Offer disabled people a choice of housing in integrated | Disabled people are housed in integrated communities | | |

| | | | |
|--|--|--|--|
| communities | | | |
| Equality impact assess the accessibility and opportunities with regard to sport and leisure | Disabled people have better accessibility and opportunities to participate in sport and leisure activities | | |
| Review and equality impact assess sport and leisure information | Information regarding sport and leisure is up-to-date, relevant and easily accessible | | |
| Improve transport services through discussion with the Moray Disability Forum | Transport services are improved | | |
| Target non-English speakers to attend English for Speakers of other Languages courses | Improved communication for non-English speakers reducing the communication barriers | | |
| Provide essential information in foreign languages required | Non-English speakers have access to essential information | | |
| Continue to monitor discriminatory incidents | An awareness of discriminatory incidents is raised and analysed for positive action | | |
| Provide alternative short-stay or halting sites in response to requests from Gypsy/Travellers for smaller scale sites in Moray | Authorised sites are identified for Gypsy/Travellers | | |
| Investigate demand and establish an LGBT venue in Moray | LGBT people have a local venue for advise and assistance | | |
| Use positive action to | The percentage of women in | | |

| | | | |
|---|---|--|--|
| encourage women to apply for senior positions | senior positions are reflective of our workforce | | |
| Committee Reports – include a section in reports on equalities impact assessments for all policies/procedures/decisions and ensure that there is a trigger in the guidance notes and report template for including this | Equality issues are considered in all policies/procedures and decisions | | |
| Explore mechanism for consulting with Gypsy/Travellers | Engagement with Gypsy/Travellers | | |