

“An equal society protects and promotes equal, real freedom and substantive opportunity to live in the ways people value and would choose, so that everyone can flourish.

An equal society recognises people’s different needs, situations and goals and removes the barriers that limit what people can do and can be.”

UK Equalities Review

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1. Introduction

- 1.1 The City of Edinburgh Council values and celebrates the diverse communities it serves. It seeks to promote an ethos of anti-discriminatory practice through all its functions and policies. Its aims are to ensure that members of staff, service users or visitors are not subjected to intolerance, prejudice or discrimination in any form (racism, sexism, homophobia, disablism, ageism or faith/ belief intolerance) and that everyone will know how to challenge intolerance, prejudice or discrimination if it occurs.
- 1.2 Edinburgh is the capital city of Scotland and home to both the Scottish Parliament and the Scottish Executive. It has a mainly urban population with a high percentage of students from overseas. Along with the settled Black and Minority Ethnic (BME) communities, this makes for a culturally and linguistically diverse population, enriched each year by large numbers of overseas visitors. The city also has thriving lesbian, gay, bi-sexual and transgender communities, and a history of women's, older persons and disability equality work between public sector services and community and voluntary groups. There is also a proud and rich history of inter-faith work. Recently, an emerging feature of this diverse landscape has been new young economic migrants from Eastern Europe and Africa and an ageing population with resultant impact on the prevalence of disability. More detail is included on the diversity of the Edinburgh population within Appendix 2.
- 1.3 In 1999, an Equalities Mainstreaming Strategy was devised which led to a step change in the management of the equalities agenda in the Council. Developments in the law, most significantly the Race Relations (Amendment) Act 2000 (RRAA 2000) and the introduction of the Race Equality Duty (RED), placed further legal requirements on the Council. Primarily this involved the need to produce the Council's first Race Equality Scheme (RES) covering the period November 2002 – November 2005.
- 1.4 The first RES describes arrangements by which the Council intended to meet the general and specific duties of the RRAA 2000 and the RED and provided a vehicle for the

development of a coherent and co-ordinated programme of action to promote race equality.

- 1.5 In April 2005 the Disability Discrimination Act 2005 (DDA 2005) received royal assent and describes similar equality duties to those described in the RRAA 2000, including a legal requirement to promote disability equality, the Disability Equality Duty (DED), and to produce a Disability Equality Scheme (DES) by December 2006.
- 1.6 In February 2006 the Equality Act (EA 2006) received royal assent and describes similar duties to the RRAA 2000 and DDA 2005. There is now a legal requirement to promote gender equality, the Gender Equality Duty (GED), and to produce a Gender Equality Scheme (GES) by June 2007. The Equality Act 2006 will lead to the formation of a Commission for Equalities and Human Rights (CEHR) in 2007, combining the existing functions and legal powers of the Commission for Racial Equality, Equal Opportunities Commission and Disability Rights Commission. It is likely that proposals for a Single Equalities Act, consultation on which is driven by the findings of the UK Discrimination Law Review, will introduce additional equalities duties in relation to age, faith / belief and sexual orientation. Current legal duties placing requirements on the Council are described within Appendix 2.
- 1.7 During the course of the Council's Equalities Function Review (August 2003 – January 2005) current and proposed equalities legal duties and stated priorities within the Mainstreaming Strategy 1999 were examined in greater detail. The review led to a series of recommendations to strengthen equalities work in the Council. Details of the Equalities Function Review can be obtained from the part of the Council's website called "council papers on line" (www.edinburgh.gov.uk/cpol).
- 1.8 During the development of the first MES, the need to adopt a multi - equalities approach based on six equalities domains, which are the subject of primary equalities legislation, became apparent. This decision was based on the assessment that to maintain distinct schemes for each equality duty, either current or proposed, would be overly

bureaucratic, difficult to implement, monitor and evaluate and that efficiency and productivity benefits would accrue from a multi - equalities / single scheme approach.

- 1.9 The Council believes that bringing different areas of equalities work together within one unified scheme will enable issues of common concern to be addressed through collective understanding and action amongst equalities groups. Also, that such an approach will begin to meet the needs of individuals who may consider themselves as part of more than one disadvantaged group and will tackle the effects of multiple-discrimination.
- 1.10 The Council, however, acknowledges the differing nature of legislative duties across all six domains, in particular the difference between the current RED, DED and GED. Therefore, the Council's revised MES, in recognition of the different legislative requirements of the RED, GED and DED and in anticipation of equality duties for faith, sexual orientation and age, will adopt the DED benchmark across all six domains. This is consistent with the Council's aspiration to become a best practice authority and in line with Equality Commission guidance on the development of unified multi equalities schemes.
- 1.11 The Council is aware of the diversity of demography, social need and level of disadvantage, discrimination and inequality prevalent across each of the six equalities domains. In order to ensure there is no dilution of focus on the needs of specific equalities groups or different legal duties the Council will:
- undertake assessments that identify relevance against distinct legal duties and different equalities communities of interest;
 - monitor employment and implement positive action initiatives by different equality domains;
 - develop distinct consultation and involvement mechanisms specific to each equality domain;
 - gather and utilise information from different equalities groups;
 - identify actions that are specific to each of the equality domains and legal duties;

- identify impact assessment analysis and recommendations specific to different equality domains; and
 - report performance information by equalities domain.
- 1.12 Further to the final findings and recommendations of the UK Equalities Review, chaired by Sir Trevor Phillips (CRE), the Council will develop a more targeted approach to equalities mainstreaming work based on evidence of need. This is a move away from the broad equalities strand approaches previously described within the Mainstreaming Strategy 1999, with a new focus on “equalities target groups” within “equalities domains” and the eradication of “institutional triggers” that place people in a position of long term inequality and disadvantage and have adverse affects on people’s “capability” to secure equality (see Note 1). The need to adopt an evidence-based approach is also an attempt to move away from “lobbyist approaches”, which, the interim findings suggest, have driven much equality public policy over recent decades.
- 1.13 The education and schools function within the authority has agreed a distinct set of arrangements described in more detail within Section 10. It is the Council’s intended long-term strategy to move away from separate schemes and arrangements for education functions to an integrated approach within one unified multi equalities scheme.
- 1.14 The human resource function within the authority has also developed specific arrangements to meet the employment duties described within the legislation, including equal pay arrangements and positive action initiatives. These are described within Section 3.
- 1.15 In conclusion, this MES describes a set of arrangements which include:
- relevance assessments which enable the Council to highlight aspects of service delivery or policy development that require priority attention;
 - equality impact assessment programmes that will tackle the differential impacts of such services and policies on equalities groups;

- action plans which will focus on promoting access to and improving the quality of services and information. They will deliver impacts in line with the aspirations of the six Equalities Fora (see Section 4) and enable the council to meet the general duties;
- equalities performance measures that will provide a mechanism to assess access to, and satisfaction with, services by equalities groups and the extent to which the scheme is being implemented;
- systems to consult and involve equalities groups in the development and review of policy and practice;
- mechanisms to manage the implementation of the MES and intended objectives;
- specific arrangement to deliver equality in employment, procurement and education; and
- arrangements to review the effectiveness of the MES.

1.17 This scheme is based on the principles of the 5 Rs:

- a) rights - raising awareness of the right to equality, fair treatment and non-discrimination;
- b) representation - stimulating and encouraging debate on ways to increase the participation of under represented groups in society;
- c) recognition – respecting, celebrating and accommodating diversity;
- d) respect – valuing diversity and promoting a more cohesive society through mutual understanding; and
- e) responsibility – reviewing our own practices, policies and structures that may be discriminatory and taking action to address areas of concern. (see Note 3)

1.19 The strategic aims of the MES are described below:

- a) work to develop an understanding within all of Edinburgh’s communities of the complex and often hidden ways in which prejudice, discrimination and harassment affect the lives of different equalities groups;
- b) work to eliminate the effects of the social and economic exclusion that results from the discrimination of equalities groups;

- c) ensure that, as both service provider and employer, the Council adopts a positive action, best practice approach, which incorporates equalities issues into day to day working; and
- d) support equalities groups' engagement with and participation in community planning.

1.20 During the development of the first MES and the first and second reviews, there has been extensive consultation and involvement activity with the six Equalities Fora, Council grant aided equalities representative groups, national equality organisations, Council equalities officers and senior management teams, elected members and community planning partners, including other Scottish local authorities. Further details of this consultation are described below.

Statement of involvement of equalities communities of interest and other relevant stakeholders in the development of the Multi Equalities Scheme

1.21 A key feature of this MES is the Council's policy commitment to involve equalities communities of interest in the setting of equalities goals and priorities. Arrangements in this MES also provide opportunities for individuals and community and voluntary sector groups to get involved in:

- gathering information on their experiences of Council services;
- consulting on and assisting in policy and service development;
- agreeing annual impact assessment programmes and involvement in impact assessment projects;
- participation in formal council and community planning committees and partnerships;
- agreeing the priorities for mainstreaming equalities action plans;
- involvement in the design and delivery of equalities training programmes; and
- reporting performance monitoring and evaluation activity.

1.22 During the first revision of the MES, the six Equalities Fora, the Council's primary strategic consultation and involvement

mechanisms, were asked to provide a list of key equalities goals and priorities they would like to see achieved as a result of the implementation of the MES. These are listed below:

Edinburgh Disability Equality Forum

- Improved quality of consultation and involvement systems for disabled people.
- Improved “through door to through door” transport provision.
- More disabled people into employment & volunteering.
- Improved standards of care, advocacy and befriending support.
- Improved accessibility of both buildings and information.
- More disability equality training for public sector officers.
- Improved quality and standards of accessible, appropriate and supported housing.

Edinburgh Race Equality Forum

- Increased levels of BME employment within the public sector.
- Increased public sector staff confidence in dealing with racist incidents.
- Better community awareness of race equality issues, work and procedures.
- Better educational outcomes for people from BME community backgrounds.
- Improved community safety.
- More promotion of positive influences and role models.
- More information and advice services targeted at/accessible to BME communities.
- More and more sustainable support for BME voluntary sector organisations.

Edinburgh Women’s Equality Forum

- Awareness of the GED amongst senior management teams and elected members should be raised.
- Resources and grant funding for the gender equality voluntary and community sector should be on a par with

BME / race equality (black and minority ethnic) sector funding.

- A cross-party group should be established to oversee the implementation and progress with the GED in each public sector agency.
- Commission an external survey to be carried out around the GED to collate evidence about individual employee experiences of sexism at work in respect of recruitment / promotion options, treatment at work, health, stress, access to flexible working options, accessing flexible childcare options and part time issues.
- The EWEF to monitor resource allocation and action to ensure that mechanisms and systems are set up to reach and collate the views of women throughout Edinburgh.
- All public agencies (as employers and service providers) should provide adequate, flexible, accessible, affordable, childcare and society's attitude to childcare needs to change and to value caring roles.
- All public agencies should work together to eliminate Violence Against Women through the provision of support services, funding of the VAW strategy, tackling male perpetrators of VAW and challenging media stereotyping.
- Publicity campaigns to change sexist attitudes, as sexism and the acceptance of violence against women s a major cause of sex inequality.
- Civic leadership is required to promote awareness of the harm caused to all women by the "sex industry", including pornography.
- School education to eliminate gender bias is critical. Girls' performance and participation across the whole curriculum should be monitored and published.
- Gender bias in careers advice to be eliminated especially in relation to BME girls. Girls should be advised about all careers and career routes and given advice about future earnings potential and flexibility in different careers so they can make fully informed decisions.
- Sexism in curriculum to be addresses i.e. women's history as well as men's history, women writers as well as men writers.
- Women role models to be developed in senior positions.

Edinburgh and Lothian Lesbian, Gay, Bi-sexual and Transgender Forum

- Raise awareness of the LGBT community.
- Support and help for the community, especially young people.
- Tackle homophobic bullying at schools and at work.
- Feel safe from verbal and physical abuse in the city centre and in the areas we live in.
- To be involved in decision making.

Edinburgh Inter Faith Association

- Improve the breadth and quality of religious and moral education in all schools and their engagement with faith / belief organisations and institutions.
- Increase funding to inter faith activity in the city in order to raise awareness of the benefits on inter faith work and promote appreciation of faith / belief diversity.
- Integrate spiritual and belief health indicators into mainstream indicators frameworks in the city.
- Ensure faith / belief discrimination is eliminated from employment and service delivery in the council.
- Promote engagement in regeneration and social justice projects in the city by faith / belief groups.
- Continue to promote and develop the profile and work on the Edinburgh Inter Faith Association.
- Develop and promote an understanding of 'faith' and the resources and community activities of faith communities as 'social capital'.

Edinburgh Older People's Forum

- Recognising the rich and diverse contribution older people can make to society.
- Forging links between the generations.
- Improving housing and support.
- Securing and maintaining prosperity.
- Promoting mental and physical wellbeing (including reducing smoking, improving diets, reducing alcohol and improving opportunities for physical activity for older people).

- Opportunities for learning throughout life.
- Improving safety and protection (including falls prevention work)
- Improving transport provision and mobility.
- Developing age friendly neighbourhoods (including improving planning infrastructure)
- Improving accommodation, support and care.
- Improving support for carers.
- Carrying out the above in partnership.

It is the intention of the Council in all its service delivery, employment, partnership and procurement activity to work towards addressing these stated goals and priorities and delivering the impact and outcome equalities communities of interest in the city wish to see. Tri - annual monitoring, evaluation and reporting of progress against these priorities will be a feature of the Council's MES progress reporting arrangements (see Section 11)

1.23 The six Equalities Fora have around 300 members and each member was sent a three-page Executive Summary of the MES for comment via a MES consultation template. Around 30 responses were received. There was also a detailed presentation and discussion to each of the six Fora describing in more detail the arrangements within the MES. All comments were noted. The full copy of the MES was distributed to around 30 Fora members via email. Ongoing discussion on impact assessment programmes and action plan priorities has taken place during the last six months at various forum meetings as well.

1.24 All of the Fora responses welcomed the introduction of the MES, the detailed arrangements contained within and the principles on which it was based. There was concern in some equalities groups that a multi-equalities approach would in some way dilute a specific focus on certain equality domains. There was also concern in relation to the role of Fora within the MES and the power and opportunity to influence impact assessment, action plan and performance indicator developments. This resulted in a policy statement that committed the Council to ongoing involvement described within paragraph 1.21.

- 1.25 Over 300 Council officers were sent copies of the MES Executive summary, including staff from equalities groups, and around 30 key officers the full copy. All senior officials engaged in departmental Senior Management Teams were sent briefing notes on the MES and many received detailed presentations. There was also a presentation to the Best Value Preparation Board and all Heads of Service on the MES.
- 1.26 NHS Lothian and Lothian and Borders Police were extensively consulted as were other Scottish Local Authorities of the Highlands, West, East and Mid Lothian, Aberdeen, Borders, Glasgow and Fife.
- 1.27 Senior elected members of the Council Executive received a committee report on the matter and full copies of the scheme were placed in elected members' rooms for reference. The scheme was also discussed at the Social Justice and Older People's Scrutiny Panel.
- 1.28 During the interim review every member of the six Equalities Fora was sent a copy of an Executive summary of the Council's work on equalities over 2005/2006 and an Executive Summary of the Council's MES. Forum members were asked to submit the outcomes they wished to see the MES address (see paragraph 1.22).
- 1.29 The Mainstreaming Action Team (see Section 5) established an internal short-life working group to lead the first and second review of the MES. Around 50 key equalities related Council officers were asked to comment on potential areas for improvement in the MES. Changes to the impact assessment template, relevance assessment, action plans and consultation / involvement references were implemented as a result.
- 1.30 Over 30 presentations at various community organisations interested in equalities work covered the contents of the MES and what those organisations would wish to see the Council address. Many of these presentations were at AGMs, staff team meetings and management boards.

1.31 A research project was conducted by the Equalities Unit into other authority's approaches to multi equalities work to ensure best practice. Research was also undertaken to identify national research projects that assessed the primary needs and aspirations of equalities target groups in order to influence the development of action plans and impact assessment activity.

Note (1)

The National Equalities Review was established by the Cabinet Office in 2005 and is chaired by Trevor Phillips. The review panel has a remit to examine the last 60 years of equalities research and equalities mainstreaming activity and develop a strategy for the next 40 years. The recommendations of the review will influence the activity of the new Commission for Equalities and Human Rights (CEHR).

The final findings and recommendations of the review identified the need for public institutions to look within the six broad equalities domains at equalities target groups.

The need to identify such groups based on evidence was deemed paramount in order that public authorities moved away from "lobbying" approaches. Review findings have indicated that there are specific communities within broad equality domains that are subject to long term and persistent inequality and disadvantage. This is largely a result of institutional discrimination and institutional triggers (service or policy failures) that serve to place people in a position of disadvantage that leads to inequality penalties and gaps and affects capability to secure equality of opportunity and outcome. The key task for public authorities is therefore to identify and eradicate these triggers.

Note (2)

Social class and language are recognised as equalities domains within the Scotland Act 1998. In this scheme, these matters are viewed as significant cross cutting issues that will inform the core targeted approach across six domains, rather than distinct equalities domains around which relevance assessments, consultation, involvement, impact assessment,

action planning, performance indicators, monitoring and evaluation will be framed. Thus, for the purposes of this scheme, the term equalities work will encompass race, gender, disability, older age, sexual / gender orientation and faith / belief.

Note (3)

The implementation of the scheme will also be guided by the need to recognise the obligatory legal duty to promote equalities in all relevant functions and policies. Also, that the importance and weight given to all activity described within the scheme will be proportionate, based on an assessment of relevance. Arrangements within the scheme will complement each other and existing arrangements in the Council. The scheme will also attempt to maintain a balance between the different domains of race, disability, gender, age, sexual / gender orientation and faith / belief, based on the evidence of need.

2. **Legal context, the Council's relevant functions and policies and equalities baseline data**

2.1 There are seven major areas of equalities legislation in force. These are:

- a) **Sex Discrimination Act (1975)** – protects individuals from discrimination in employment and service provision on the grounds of sex/gender, marital status and gender identity.
- b) **Equal Pay Act (1970) (1980)** – requires equal pay for women and men for like work.
- c) **Disability Discrimination Act (1995) (2005)** – protects individuals from discrimination in employment and service provision on the grounds of disability. DDA 2005 sets out proactive general and specific duties in relation to disability equality.
- d) **Human Rights Act (1998)** – incorporates into UK law the European Convention on Human Rights. The Act guarantees a number of rights and freedoms for individuals.
- e) **The Employment Equality (sexual orientation, religion or belief) Regulations (2003)** - incorporation of

the EC Equal Treatment in Employment Directive into UK law. Applies to all EC members.

- f) **Race Relations Act (1976) and Race Relations Amendment Act (2000)** – RRA protects individuals from discrimination in employment and service provision on the grounds of race and ethnicity. RRAA 2000 describes proactive general and specific duties in relation to race equality.
- g) **Equality Act (2006)** – revised the previous sex discrimination legislation to introduce a new equality duty for gender. It established the formation of the new Commission for Equalities and Human Rights (CEHR) and made reference to the need to explore age, faith / belief and sexual orientation equality.

- 2.2 All of the above place duties on the Council but the RRAA 2000, DDA 2005 and Equality Act 2006 place general and specific duties on the Council to undertake positive and proactive measures to promote equality. Further details of these requirements are included in Appendix 2.
- 2.3 Appendix 1 is a description of the relevance assessment of Council functions and policies, to meet the legal duties described within the RRAA 2000, DDA 2005 and Equality Act 2006 and accompanying codes of practice. Functions and policies are primarily derived from the descriptions provided within each departmental service plan (see Note 5).
- 2.4 Relevance assessments enable the Council to prioritise equalities work and they are crucial to the development of the EIA, MEAPs and EPMs arrangements. The list will be reviewed every three years after March 2009 and submitted to the relevant Equalities Commission/ s in line with the legal duties and the tri-annual review cycle of the MES.
- 2.5 The Council is subject to a broad range of other legal duties in a number of equalities related areas that require strategy and policy responses. Prominent examples of such responses include the:
 - City for All Ages Community Plan for Older People (see Appendix (see Appendix 16));
 - Young Edinburgh Strategy;

- Accessibility Strategy (see Appendix 12);
- Citizenship for Everyone (see Appendix 15)
- Edinburgh Community Safety Strategy; and
- Community Care Plan.

It is the Council's position that the MES is the primary equality strategy and that it is informed and supplemented by a range of other policies and strategies described above and within Appendix 2.

- 2.6 Relevant baseline equalities data, obtained from census, research and other information sources, is contained at the foot of Appendix 2. This data will act as a benchmark against which progress in the implementation of the scheme can be measured.

Note (5)

For the purposes of this scheme, relevance is assessed by the following criteria:

- a) level of relevance to respective equalities legislation equality duties;
- b) level of evidence of discrimination within respective equalities domains; and
- c) level of evidence of public concern or complaint within respective equality domains.

There are two categories of relevance (high and low) for each equality domain and set of legislative duties. Function and policies assessed as having a high relevance are then deemed a priority for action, specifically equalities impact assessment and mainstreaming equalities action plans.

3. Equalities mainstreaming within employment

- 3.1 In 2004, the Council's Executive agreed an objective that the composition of the Council's workforce at all levels should match that of the city's working age population, as defined by the most up to date census data. Arrangements are in place to ensure that the implementation of the Council's Human Resource (HR) Strategy supports the integration of equality and diversity issues within employment and that the

Council's employment policies reflect legislative requirements, including the promotion of equality and prevention of discrimination. Baseline data on equalities and employment monitoring in the Council is provided in Appendix 2.

Positive Action in Employment Programme

- 3.2 A positive action in employment programme is now being implemented. The programme includes:
- a) the implementation of equal pay (see paragraphs 3.12 to 3.16);
 - b) equality and diversity training for managers, through the Management Leadership and Development programme. Departments are also expected to ensure that their staff receive appropriate training in equality and diversity issues;
 - c) assessment of managers' performance on equality and diversity issues in employment through the Performance Review and Development (PRD) system;
 - d) assessment of the consistency of managerial PRD assessments within departments and cross-Council, via employment monitoring;
 - e) positive support for the extension of flexible working;
 - f) development of a Health and Well Being strategy for all employees, with a specific focus on identifying and minimising barriers to the retention of disabled employees;
 - g) development of work experience programmes prioritising members of under-represented groups, including a community outreach programme;
 - h) a series of employment fairs, targeted at members of the black and minority ethnic and disabled communities. It is intended to deliver four fairs by March 2008;
 - i) implementation of council-wide diversity in employment objectives and departmental targets (see paragraphs 3.15 and 3.16);
 - j) development of corporate self-support networks for employees who are members of groups which are liable to experience discrimination in employment, e.g. members of LGBT groups, disabled employees, BME employees and carers. It is envisaged that the self-

support networks could also act as a consultation and capacity building mechanisms, in the spirit of mainstreaming; and

- k) a wide-ranging review of employment policies to ensure compliance with new age discrimination legislation, e.g. retirement, redundancy, service-based entitlements etc.

Work Experience Programme

3.3 As noted in paragraph 3.2, a positive action employment programme is being developed. This will be set-up as a Public Sector Academy (PSA) and delivered by the City Development Department's Economic Development section. It is intended that a full programme will be rolled out from 2006/7. The PSA is intended to provide quality assured work experience placements within the Council for members of under-represented groups and also to encompass an on-going employment outreach programme aimed at encouraging applications for employment from members of under-represented groups. The intention is to develop and deliver the programme in partnership with community groups. As opportunities arise, it is intended to extend the programme.

Employment Objectives and targets

3.4 Also as noted in paragraph 3.2, Council wide diversity in employment objectives have been agreed by the Council Management Team in support of the Council's employment objective. These are as follows:-

Year	% female chief officers	% female senior managers	% all BME	% all disabled
2003/04	20	17.5	1.6	1.5
2004/05	19.4	19.6	1.9	1.8
2005/06	35	65	2.2	1.9
2009 target	37	50	4.2	6

These are initial objectives and will be reviewed annually in the light of fresh information becoming available on the composition of the working age population within the city, progress within the Council towards meeting the objectives and developing legislative requirements. In support of the corporate objectives, each Department is developing and implementing its own diversity in employment targets.

Monitoring and reporting

- 3.5 HR staff already ensure that the employment monitoring and reporting requirements of the RRAA 2000, DDA 2005 and EA 2006 are met. An annual Finance and Resources Committee report is produced each June providing a breakdown by age, disability, ethnicity and gender of those in employment within the Council. The report also provides monitoring information on recruitment and selection processes (including internal promotion) and (since March 2006), also includes information on training undertaken, disciplinary and grievance procedures and why employees leave the Council. From March 2007, it is intended that the annual report will include the outcomes of action taken to promote equality within employment. Once the EHR system is in operation (roll-out expected from late 2007) it is intended to report on training undertaken relevant to career progression and to extend employment monitoring to include PRD outcomes, to ensure consistency of application across the Council.
- 3.5 From May 2007 consultation on the annual Executive report will be extended from the Race Equality Forum to include all relevant equality forums. The CRE already receives a copy of the annual Executive report. From May 2007, all three equalities commissions will receive the annual Finance and Resources mainstreaming employment report for their consideration.
- 3.6 Following the review of the equalities function it was agreed that in addition to the annual Finance and Resources Committee report, the Council Management Team would receive an additional employment mainstreaming report each October, including any action taken to support achievement of the Council's objective of having a workforce

representative of the city's population. This includes progress against the departmental targets and the corporate objectives.

- 3.7 As from October 2006, the Resource Management and Audit Committee will automatically receive the Council Management Team and the annual Executive reports for its consideration.

Human Resources Equality Impact Assessments

- 3.8 A distinct Human Resources Equality Impact Assessment (HREIA) procedure has been developed and implemented, (Appendix 3b) based on the impact assessment approach described within Section 6 of this MES.

- 3.9 To date HREIAs have been undertaken in relation to the following:-

- the former Equal Opportunities in Employment policy, (new Equality and Diversity in Employment policy introduced September 2006);
- sickness absence procedures, (outcomes to be incorporated within new procedures being developed by Employee Relations); and
- recruitment and selection procedures, (recommendations to be discussed by HR Senior Management and Strategy Team. Anticipated implementation date is from December 2006).

A HREIA programme will be integrated into the Council wide ongoing programme (see Section 7) reflecting legislative priorities.

Staff networks

- 3.10 The development of corporate and departmental staff support networks for those groups of staff most likely to face barriers in employment has been agreed in principle. The purpose of such networks would be to encourage communication and provide a means of mutual support for their members. They would also provide a link between their

members and the Council, allowing a better awareness of specific issues to be developed by the Council, so that these can be addressed more effectively.

- 3.11 The outcomes of the 2006 Staff Survey (expected to become available in December 2006) will determine priorities for setting up the corporate networks.

Implementing Equal Pay

- 3.12 The Council is in the process of undertaking a Job Evaluation exercise and the results will form the basis for the development of a new gender proofed pay and grade structure for all employees (except teachers and Chief Officers). The process uses the Capital Job Evaluation Scheme, which fully meets legislative requirements.
- 3.13 There are three stages to the job evaluation process. First, information on existing jobs is collected by means of focus groups of representative postholders, who complete a job questionnaire. Second, the questionnaire is made available to all employees in each job for consultation, so that any additional information can be taken into account. Third, each questionnaire is evaluated by a trained panel to arrive at a score for the job, taking into account a number of different factors e.g. decision making, working conditions, level of responsibility. These results produce a new rank order of jobs.
- 3.14 A new pay and grade structure will be developed based on the rank order of jobs and new pay bands and grades allocated. This will allow employees at similar levels across the Council equal access to consistent non-discriminatory pay and grade structures. The Council will seek to agree the final pay structure with the Trades Unions before it is implemented. At the same time as the new pay and grade arrangements are implemented, existing bonus schemes applying to predominately male manual workers will be terminated, permanently removing a source of inequality.
- 3.15 The Job Evaluation exercise is being implemented by fully trained staff. Equality and diversity issues form an essential component of the training programme. The whole job

evaluation process has been reviewed to ensure it incorporates gender equality. Specific attention has been given to ensuring that individual aspects of the process are gender proofed, e.g. ensuring appropriate gender balance within the composition of employee focus groups and evaluation panels.

- 3.16 An independent full gender impact analysis of the final pay and grade structure will be undertaken before it is agreed.
- 3.17 The Council is committed to the implementation of the new pay and grade structure and believes that it will support equal pay for all employees.

Responsibility for mainstreaming equality and diversity in employment

- 3.18 The HR Senior Management and Strategy Team will oversee all the equalities mainstreaming activity in employment, advised by the Employee Relations Section, and produce regular action plans to address issues of concern for the MAT and Council Management Team (CMT).

4. Community capacity building, consultation and involvement

- 4.1 The Edinburgh Partnership and the Council recognise the following primary strategic consultation and involvement mechanisms for the cycle of this MES:
 - a) Edinburgh Race Equality Forum.
 - b) Edinburgh Older Peoples Equality Forum.
 - c) Edinburgh, Lothian and Borders LGBT Equality Forum.
 - d) Edinburgh Disability Equality Forum.
 - e) Edinburgh Women's Equality Forum.
 - f) Edinburgh Inter - Faith Association.

Two members of each forum are nominated onto the:

- g) Edinburgh Partnership Community of Interest Support Network (COISN) who elect one representative to take a full member seat at the Edinburgh Partnership Board.

4.2 The intended outcomes of these Fora and COISN are to:

- develop services and policies, in particular the MES, equalities action plans and equalities impact assessment programmes;
- review and assess progress in relation to the MES;
- gather information from equalities groups on the quality of public services;
- undertake and support research and consultation into areas of concern;
- share information and best practice amongst all members on equalities issues;
- learn from other equality domains who have similar concerns and to discuss joint solutions; and
- benefit from involvement in capacity building initiatives.

4.3 Each forum and COISN has a Terms of Reference document, or constitution, that describes the principles on which forum activity is based, aims of the forum, election procedures, partnership arrangements, forum structures and other relevant business. These documents reflect the principles on which the Edinburgh Voluntary Sector Compact and National Community Engagement Standards are founded. There will be regular review of such documents involving Fora members and public sector partners.

4.4 More recently members from all fora and COISN were asked to comment on a Vision Paper 2010 and Training Programme 2007 – 2009, that set out a proposed long-term direction of travel. This included a description of core principles and values, suggested future models of operation and key activities, capacity building programmes and performance measurement arrangements. One of the initial outcomes of the Vision Paper 2010 was an agreement by public services to sign up to agree methods of consultation and involvement, which include:

- **Agenda items** at forum / COISN meetings to discuss a proposal, requested through the business administration provider by the lead agency and agreed by the convenor or vice convenor of the forum.

- **Separate focus group / seminar / impact assessment consultation meeting** advertised by the “Hot News” format, distributed through the business administration provider, organised and paid for by the lead agency.
- **Workshops at a full forum event / forum conference** requested through the forum and organised and paid for by the lead agency and business administration provider.
- **Summary sheets** of service or policy changes sent to a targeted or full forum audience with named contact / s persons to get more information or to forward comments or ideas, organised. Paid for by the lead agency and distributed through the business administration provider.
- **Mystery shopper** exercises to improve key services involving any members of the forums / COISN. Members are recruited through the business administration provider or public service partner and paid a nominal sum by the lead agency.
- **Questionnaires or surveys** organised and paid for by the lead agency and distributed by the business administration provider or public service partner with a return contact detail within the lead agency. This could be done through a SAE or website.
- **Setting up a separate consultation database** is permissible if public services have the agreement of the members of forums who are going onto those databases.
- **Action research project** developed and paid for by the lead agency recruiting forum / COISN members. Such projects should be notified to the convenor, vice convenor or Executive functions of forums.
- **Issues registers** enable the Council to formally record comments and concerns made by equalities voluntary and community sector groups. These registers will be made available on request and will be increasingly utilised by equalities staff and those involved in equalities impact assessment.

Whenever a consultation or involvement exercise is undertaken with the Equalities Forums, feedback will be provided by the lead agency or, at a minimum, details of where feedback can be obtained will be provided.

- 4.4 Administrative and business support for the Equalities Fora may be provided by the Council, one of the community planning partners or outsourced to an appropriate organisation via the Council's Service Level Agreement process.
- 4.5 The Fora will issue guidance on access to meetings, briefing notes for speakers and agenda formation to ensure meeting venues, formats and papers are accessible to all members.
- 4.6 The Fora will be vehicles for capacity building initiatives. For example, the Council will review and further develop the existing interim BME funding strategy and will also assess the feasibility of rolling this approach out to other equalities related voluntary and community sectors. The interim BME funding strategy creates a network of BME capacity building, information and support agencies linked to new neighbourhood partnership areas. This ensures that BME groups and individuals have access to local advice and information and local community planning information and resources. There is also a small BME capacity building grant scheme. It is the intention of the Council to further realign these resources to improving educational attainment and support for young people.
- 4.7 Another key dimension to the capacity building agenda will be the delivery of a bespoke Equalities Fora training programme for key and active members. The programme will be based on training needs assessments of such Fora members, with a view to making the Fora more effective and influential. The training programme will be co-ordinated by the Council's Community, Learning and Development Capacity Building Teams in conjunction with equalities officers in the Council, Health and Police services. Intended outcomes of the training programme are to increase knowledge of legislative duties and improve the influence and effectiveness of all the Edinburgh Partnership Equalities Fora.
- 4.8 The Council will support, advise and resource the Equalities Fora and capacity building initiatives in partnership with:

- NHS Lothian
- Lothian and Borders Police
- West, Mid and East Lothian Councils
- Scottish Borders Council
- NHS Borders
- Lothian and Borders Procurator Fiscal Service
- Lothian Buses
- Edinburgh University
- Lothian Fire and Rescue and Ambulance Services

This will enable a community planning approach to building a larger pool of financial and officer resources and will increase the capacity of equalities groups and public services involved in the Fora. This approach will also tackle consultation fatigue within equalities groups. All the public service partners will meet at least three times a year to discuss the development of a shared approach under the banner of the Lothian and Borders Equalities Practitioner Group.

- 4.9 Appendix 4 describes in more detail the range of primary community consultation and involvement networks and organisations, including the Equalities Fora and COISN, the Council would like to focus information gathering activity on. The Council is committed to undertaking a more focussed and sophisticated programme of activity to meet consultation and involvement duties. Those networks and organisations described in Appendix 4 do not constitute a definitive list. The Council will undertake further work to develop this list to be more representative of a broader range of interests.
- 4.10 Issues registers will be the system by which information is gathered, recorded and analysed with those networks and organisations described in Appendix 4. The Council records all meetings of the Equalities Fora listed in paragraph 4.1. Records will be made available if requested.
- 4.11 The Council will establish issues registers for each equality domain that record issues raised by equalities organisations in contact with the Council. Corporate Services equalities staff in the Performance, Strategy and Policy Division will be responsible for maintaining issues registers and the contents

will inform the impact assessment and action planning process.

4.12 All consultation and involvement mechanisms will:

- a) be focused and be clear about where a public service has scope to make changes and what resources are available;
- b) cover relevant stakeholders including a mixture of service users, representative groups and individuals;
- c) be representative of broader community interests;
- d) use accessible mechanisms to enable as wide as possible range of people to get involved;
- e) be proportionate;
- f) be influential; and
- g) avoid duplication of effort ensuring efficient use of public service and voluntary and community sector resources.

4.13 The Council will actively engage in national community consultation and involvement fora and organisations with a view to sharing best practice, resources and information.

4.14 The Council currently has a budget of £35,000 p.a. to spend on consultation and involvement activity, primarily across all six Equalities Fora (race = £6,500, disability = £7,500, older people = £8,000, LGBT = £3,000, women = £3,000, faith / belief = £7,000). This is supplemented by £4,000 p.a. from Lothian and Borders Police and £1,200 p.a. by Lothian and Borders Procurators Fiscals Service. NHS Lothian will contribute £4,000 p.a. starting in 2007 / 2008.

5. Leadership, management and partnership

5.1 A key impact of this scheme will be to raise awareness of equality legal duties amongst Council chief officials, senior management and elected members. The Council will promote the equalities mainstreaming and diversity message at all levels of the authority and in all relevant partnership activity. Whilst the Council is keen to adopt a mainstreaming approach across the whole Council, the named persons responsible for implementing this scheme are Jim Inch (Director of Corporate Services), David Jack (Head of Service, Performance, Strategy and Policy Division) and Nick

Croft (Manager for Equalities Projects in the Performance, Strategy and Policy Division). All enquiries about the scheme should be sent to Nick Croft in the first instance.

- 5.2 The Council is engaged in a vast number of partnership activities on a broad range of issues. There will be a particular focus in this MES cycle on strategic and local community planning partnerships with a view to promoting joint approaches to equalities mainstreaming work. To this end, the Council has:
- developed an Edinburgh Partnership Equalities Statement of Intent that will influence the development of equalities work throughout the Regeneration Output Agreement;
 - supported the development of a number of local community planning equalities initiatives and projects;
 - devised a step by step guide and training package for the medium to large voluntary sector to assist them to develop multi equalities schemes;
 - developed guidance for Community Councils to promote the involvement of equalities groups;
 - developed an equalities impact assessment tool and training programme for the voluntary and community sector; and
 - supported a range of equalities initiatives within tourism, business and cultural partnerships in the city.
- 5.3 The Council is particularly committed to a community planning approach to equalities mainstreaming with Lothian and Borders Police and NHS Lothian. The Council meets with key officers from these public services on a regular basis, to discuss areas of mutual concern, support and joint work and to examine potential efficiency savings.
- 5.4 The Council has a network of equalities mainstreaming officer groups that extend into every Council department and service grouping known as the Mainstreaming Action Team Network (MAT). Dedicated equalities officers support some of these departmental equalities officer working groups, others receive support from officers with whom equalities sits as an additional duty (see Appendix 2). Each departmental group nominates two representatives to sit on a MAT Lead

Officers Group that meets quarterly to maintain an overview of MES implementation and other related equalities performance matters. Each member of this network is known as an Equality Champion and accompanying induction and information material has been developed to support their work. A database is held of all Equalities Champions across the Council and relevant information on research, best practice and legal duties is sent on a regular basis to this network.

5.5 The MAT network promotes equalities mainstreaming work by providing a reference point for such work in each service grouping or department. There is also a corporate equalities support service (3.75 whole time equivalents) within the Corporate Services Performance, Strategy and Policy Division that provides:

- project management support;
- legal information and guidance on general and specific duties;
- performance monitoring and public reporting functions;
- reporting lines into elected members and briefing support for elected members;
- information and advice on community consultation and involvement; and
- research on equalities issues.

The service is managed by Nick Croft, Equalities Manager, directly responsible to a senior head of service, David Jack, who sits on the Council Management Team and has direct operational links into all the Directors' Offices and the Chief Executive's Office.

5.5 The diagram in Appendix 5 outlines the MAT network, the MAT Lead Officers Group and how this relates to other internal and external equalities officer groups. It also outlines key roles and responsibilities within the MAT network that were defined following an audit of all internal departmental equalities officer groups during 2004.

5.6 New political make up of the Council post May 2007 have led to a significant changes in political management

arrangements. The new ruling coalition between the SLD and SNP has led to revised committee structures. The lead on equalities and diversity in employment will now sit with Cllr. Gordon Mackenzie within the Finance and Resources Committee. On broader partnership, service, strategy and policy matters Cllr Mackenzie will also play a lead within the Policy and Strategy Committee. Both of these committees will play a key role in delivering the MES arrangements.

- 5.7 The six Departmental Senior Management Teams will receive an equalities progress report at least every six months and the Chief Executive's Council Management Team will receive a six monthly report on equalities mainstreaming within employment and the annual MES progress report (see Section 11). This ensures that each senior management team across the Council is aware of, and taking a lead role in, implementing, monitoring and evaluating equalities mainstreaming activity.
- 5.8 The Council's Lord Provost, Leader and Chief Executive will maintain high profile involvement in many equalities groups and projects and will host and participate in, where practicable and possible, a range of cultural, social and religious events involving equalities groups.

6 Training and awareness raising

- 6.1 The Council is committed to placing the equalities and diversity training agenda at the heart of this scheme and it will be an essential feature of staff development at all levels. A key aspect will be to ensure that all induction processes include references to equalities and that any training delivered deploys best practice, creative and challenging approaches.
- 6.2 Council will commit to a corporate approach to equalities mainstreaming and diversity training in the areas of:
- a) legislation;
 - b) skills and technical knowledge; and
 - c) awareness, behaviour and attitudes.

- 6.3 Lead responsibility for the strategic direction of equalities training activity will sit with the Human Resources Strategy Senior Management Team (HRSMT), in particular the Corporate Leadership and Development Manager, with support and advice from the corporate equalities support staff.
- 6.4 Individual departments will have responsibility for the delivery and monitoring of relevant equalities training to relevant departmental staff. Again, the corporate equalities support staff will offer advice and support.
- 6.5 A key area of equalities training activity will be through the Council's leadership and management development programme where a mixture of e-learning, interactive group sessions and action learning sets will be utilised. This programme is designed to improve management standards across the Council.
- 6.6 Another key area will be the need raise awareness of equalities and diversity issues in Council front line staff, in particular, the access to services and information barriers faced by equalities groups. Training will be delivered to improve skills and technical knowledge in relation to interpretation, translation, signing and other mechanisms to remove such communication barriers. This will be the responsibility of individual departments and reference will be made within the MEAPs (see Section 8).
- 6.7 The Council will continue with its extensive programme of legislative training in light of recent equalities duties. A variety of seminars, focus groups, briefings and e-solutions will be utilised to instil a broader understanding of equalities legal duties across the Council.
- 6.8 All training on equalities issues will be recorded as contact hours (length of session multiplied by number of participants) and reported annually by topic of training.

7 Impact assessment

- 7.1 Appendix 6 outlines the "Edinburgh Equalities Impact Assessment 3-step Template" which the Council will use to

fulfil the impact assessment legal duties. The template is based on all three equalities commission's guidance and attempts to develop a more targeted approach to impact assessment analysis with a focus on equalities target groups.

- 7.2 On an- ongoing basis equalities specialists will be undertaking initial screening informed by the relevance assessment (see Appendix 1) and their discussions with equalities groups and organisations described in Section 4 and Appendix 4.
- 7.3 The Council's Mainstreaming Action Team (MAT) will be the body which will agree a function or policy to be equalities impact assessed. This will then be entered on the Council's register of functions and policies to be impact assessed (Appendix 6a – updated May 2007). The MAT will operate a progress monitoring framework, based on Appendix 6a, for impact assessment that highlights at what stage the process is at, including the delivery of recommendations. This monitoring framework ensures that an impact assessment cannot be signed off as completed until recommendations have been implemented.
- 7.4 By adopting an on-going impact assessment programme the Council is able to respond to changes in equalities law, internal organisational structures and priorities, Equalities Fora / COISN priorities and concerns and maintain an overview of all activity in this regard as more impact assessments are completed.
- 7.5 Any recommendations agreed through the impact assessment process will also be implemented and monitored via the MEAPs (see Section 8).
- 7.6 It will be the responsibility of each departmental equalities officer group to organise training on EIA, agree annual EIA priorities and to monitor implementation of the impact assessment programme. The MAT will be responsible for monitoring and evaluating developments across the whole Council and improving practice and performance.

- 7.7 Training, information, support and guidance will be offered by the corporate equalities support staff in the PSP Division to all departmental equalities officer groups during the impact assessment process. This will ensure consistency of approach across the Council.
- 7.8 The Council will maintain a database of all officers and community representatives trained in impact assessment. This will enable monitoring of EIA training activity and officers and community representatives trained in EIA to participate in different EIA programmes around the Council or with community planning partners.
- 7.9 The Council will consult and involve equalities groups and individuals, drawn from the membership of all six Equalities Fora and organisations and networks described in Appendix 4, in the impact assessment process. It will publish all completed impact assessments at stage 4 (recommendations agreed) on the Council's website and through other means described in the 3-step template.
- 7.10 Training, support and financial resources will be offered to equalities groups and individuals involved in the EIA process, where appropriate and practicable, in recognition of the extra burden this will place on limited resources within the voluntary and community sector.

8 Action planning

- 8.1 Each departmental equalities officer group will develop a three yearly Mainstreaming Equalities Action Plan (MEAP) which will describe a range of specific, measurable, achievable, realistic and timescaled (SMART) targets to improve Council policies and services and meet the general and specific duties of legislation described in Section 2. Guidance on developing MEAPs is described within Appendix 7. Copies of individual departmental action plans are contained in Appendix 8.
- 8.2 The MEAPs will also ensure that the action planning, access and improvement to services and information legal duties are mainstreamed into all Council departments. Whilst the Council has an Interpretation and Translation Service,

Physical Accessibility Strategy and a Bonnington Symbol Team (which provide a range of communication aids and formats to those with language and communication barriers), and also funds a range of advocacy and representative voluntary and community groups, the MEAPs will ensure that the broader access to information and services agenda is addressed.

8.3 The MEAPs will be a primary vehicle for mainstreaming equalities within Council services and policies. Along with impact assessment arrangements they will lead to the greatest degree of outcome, impact and change. They will also deliver on the aspirations of forum members described within Section 1.

8.4 The agreed themes for the MEAPs are as follows:

1. Delivering equalities training and awareness raising.
2. Improving community consultation, involvement and capacity building.
3. Improving access to and quality of information and services (including EIA recommendations and targets).
4. Tackling hate incidents and harassment.
5. Gathering and utilising information and monitoring and evaluating performance.
6. Improving community planning and inter agency work.
7. Promoting positive attitudes and positive action.

8.4 Each departmental MEAP will contain the following seven headings under each theme:

- a) target code;
- b) target description and intended outcome;
- c) target group;
- d) time scale for delivery;
- e) person or function responsible for delivering the target;
- f) progress in relation to the target; and
- g) target status.

Departments will report MEAP progress on an annual basis to the corporate equalities support staff in the Performance, Strategy and Policy Division by the end of April of each year to enable the annual MES progress report to be developed in

line with the arrangements described within Section 11. A key performance indicator will be the % of annual MEAP targets met.

- 8.5 Appendix 7 describes the guidance offered to help all Council departments develop MEAPs. This will ensure consistency of approach across the Council. A significant feature of MEAPs will be recommendations and targets arising from the EIA process, from existing research on equality issues and from consultation and involvement activity with equalities groups and the Equalities Fora.
- 8.6 The themes and structure of the MEAP will be reviewed every three years for relevance, applicability and appropriateness with community planning partners and the Equalities Fora. This will ensure that the MEAP themes and targets set are influenced by, and have relevance to, equalities groups.

9. Procurement, grant aid, commissioning and wholly owned companies

- 9.1 The Council will ensure that equalities legal duties are considered as an integral part of all procurement, grant aid, commissioning and company arrangements.
- 9.2 All Council procurement, grant aid, commissioning and company contracts and tenders will have revised equality and diversity clauses that reference relevant equalities legislative requirements in relation to service provision and employment as of 2007 / 2008. There will also be reference to the spot checks utilising an equalities questionnaire to ascertain and promote contractual compliance (see Appendix 9).
- 9.3 If contractual compliance (assessed by timely reporting, provision of high quality information to all answers, willingness to seek out support and full engagement in the process) is achieved an “Equality Certificate” will be awarded from the Council to the supplier. If a supplier of any nature fails to disclose data or is assessed, by equalities specialists of the MAT, to be non-compliant in relation to the equalities related contractual conditions a “mind to comply” letter will be

sent giving a period of notice to rectify any concerns the Council may have and a range of options to address such matters. If compliance is not achieved within the stated timescale the Council may remove the supplier from procurement processes. This will ensure the Council promotes equalities mainstreaming through procurement activity.

- 9.4 In relation to the purchase of goods and services through the Finance Department's Central Purchasing Unit, a database of the major contracted suppliers will be established. Every year a random selection of relevant contracts will be issued an email notifying them of the requirement to answer an equalities questionnaire (see Appendix 9). Procedures described in paragraph 9.3 will then be followed.
- 9.5 In relation to grant aid to the voluntary and community sector, the Corporate Services Department will issue a self monitoring annual return form (SMAR) (see Appendix 10), or other relevant quality assurance framework, to all grant aided organisations receiving £10,000 and above. SMAR returns are a condition of grant aid and therefore non-return may result in possible withdrawal of funding. Results from SMAR returns will be collated and reported in line with arrangements set out in Section 11 and will inform developments in the Edinburgh Voluntary Sector Compact arrangements and grant aided sector.
- 9.6 The Council will also pilot the development of a multi equalities scheme approach with the medium to large voluntary sector over the course of this scheme. In addition to this, the Council will work in partnership with EVOG to promote the use of equalities impact assessment throughout the voluntary and community sector as a tool to mainstream equalities. Procedures described in paragraph 9.3 will then be followed.
- 9.7 Services procured through supporting people and homelessness commissioning routes in the Services for Communities Department will have contractual conditions relating to equalities legislation. Monitoring of access by equalities groups to homeless services will take place through the Edinburgh Council Homeless Organisations

(ECHO) monitoring system. This will be managed by commissioning teams attached to housing and homelessness functions, and performance indicator data reported in line with Section 11 arrangements. Further monitoring of compliance in supporting people contracts will take place as part of the annual monitoring visits by commissioning officers in these functions. Procedures described in paragraph 9.3 will then be followed.

- 9.8 Commissioning of the Health and Social Care Department's services will also take account of the need to mainstream equalities. All Service Level Agreements (SLAs), Care at Home Contracts and Care Home Spot Contracts will have equalities clauses. On an annual basis, the Equalities Unit will assess the relevance of the top 20 SLAs, top five care at Home Contracts and the top five Care Home Spot Contracts, in relation to contract value, and equalities questionnaire (Appendix 9) will be issued for completion. Procedures described in paragraph 9.3 will then be followed.
- 9.9 The commissioning of services for the Children and Families Department will have the requirement to mainstream equalities as a condition of contract. This will include all Service Level Agreements, Partnership Agreements and Spot Purchased Contracts. Compliance will be monitored through regular contract monitoring requirements and the sampling of a number of organisations on an annual basis. Procedures described in paragraph 9.3 will then be followed.
- 9.10 The commissioning and contracting of companies to deliver specific major physical regeneration projects will also be subject to new contractual conditions on equality and diversity and spot checks, via use of the Council's procurement equalities questionnaire, will ensure compliance with Council policies. Where the total contract value exceeds the OJEU threshold of €5,278,000 (£3,611,319) the use of equalities impact assessment will be integrated into project management approaches and potential contractors asked at the Pre Qualification Questionnaire (PQQ) stage as to how and who will complete the impact assessment and how it will be made publicly available.

- 9.11 In relation to major road development and maintenance, procurement tenders are sought through Construction Line via the Scottish Executive and the Council is in discussion with the Executive to consider these matters.
- 9.12 The Council continues to develop a range of arms length companies, trading organisations and partnership to deliver services through various funding arrangements. It is the policy of the Council to promote a multi equalities approach in such organisations through employment, training, impact assessment, action planning and performance monitoring initiatives. This may, in some instances, involve the development of a multi equalities scheme.
- 9.13 The MAT network and corporate equalities support staff will offer advice and support to all Council wholly owned companies, organisations who receive Council funding through grant aid and commissioning routes and suppliers of goods and services to the Council. This will enable the Council to promote compliance with equalities legislative requirements in relation to procurement activity.

10. Education and schools

- 10.1 The Council recognises the specific equality duties placed on education and school functions in the authority and sees the role of such functions as critical to the successful delivery of equality in the long term.
- 10.2 In line with the **RRAA 2000 general and specific duties** for race equality and accompanying codes of practice for Education Authorities and schools, the following arrangements are in place:
- a distinct Race Equality Policy has been adopted, that sits as part of the Council's MES. This is described within Appendix 11. This enables the Council to meet the RRA2000 duties as they relate to Education Authorities;
 - the Education authority complies with the Council's HR equalities and Diversity Policy and Action Plan within which sit ethnic monitoring and positive action initiatives including diversity in employment targets (see paragraph 3.9); and

- the Council has developed systems to monitor and improve pupil attainment by ethnicity, and to publicly report on progress through the Council's annual educational attainment report.

10.3 In line with the **DDA 2005 general and specific duties** for disability equality and accompanying codes of practice for Education Authorities and Schools, the following arrangements are in place in the Council's Children and Families Department, which is responsible for the implementation, monitoring and evaluation of the Education Authority's Disability Equality Scheme:

10.4 Involvement

Disabled people have been involved in the development of the Education Authority Disability Equality Scheme in the following ways:

- The Disability Equality Forum has been consulted and has provided advice on the priorities for action in the MEAP.
- A disabled teacher has been involved as a member of the working group writing the MEAP.
- Young people have been asked to comment on how inclusive their student councils are, as an initiative to involve disabled young people in planning.
- Local groups (People First, Craigmillar Ability Network and Ark Housing) commended the plan as did the Scottish Accessible Information Network.
- In the preparation of the Accessibility Strategy (Appendix Twelve) special and mainstream school staff responded to a questionnaire on the effectiveness of the previous strategy.
- Parents of pupils in special and mainstream schools responded to a questionnaire on the effectiveness of the previous strategy.
- School boards and school staff commented on the draft of the current strategy.
- Voluntary organisations representing disabled people commented on the draft of the current strategy. These included: the Scottish Accessible Information Forum

(SAIF); the RNIB; Enquire; the Special Needs Information Point (SNIP)

10.5 Impact assessment

Impact Assessments for policies and practices in education will be carried out in accordance with section 7 of the MES. The Children & Families Department MEAP (Appendix 8A) includes a target to raise awareness within schools of the importance of equalities impact assessments. Education policies will be included according to relevance priorities in the annual plan for equalities impact assessments. Impacts of policies on disabled pupils will also be assessed as part of the monitoring of the Accessibility Strategy (targets S2, S3, S5, C2, C3, PE4, IC1 and IC3). Annual reports on the impacts assessments relative to education policies and schools will be included in the annual report on the DES.

10.6 Steps towards fulfilling the general duty

The Children & Families MEAP sets out the plan of action to ensure the Council meets the general duty in relation to its education function. The Accessibility Strategy includes targets and a development plan designed to assist with compliance (targets S2, S3, S4, C1, C2, IC3,IC4,IC5).

10.7 Gathering and using information

The Accessibility Strategy (Appendix Twelve) includes a targets, processes and monitoring arrangements are in place to ensure that adequate data on disabled pupils is gathered from all CEC schools (target S2). The data will be used specifically to determine trends in impact, inclusion, achievement and attainment. The information will be used to identify areas of unmet need and inform future planning. Under a separate target (C2), information will also be gathered to assess the availability of out-of-school and extra-curricular activities and the extent to which these are accessible to disabled pupils. The information gathered will be used to identify gaps in provision and to inform future planning.

10.8 School actions to fulfil the general duty

Schools in Edinburgh will comply with the Accessibility Strategy, which has been designed to include actions to meet the general duty. The Children & Families Department MEAP also contains targets that will ensure schools meet the general duty.

10.9 Annual reporting

The Accessibility Strategy includes a target to ensure that all schools include accessibility to all aspects of school life and pupil development in their School Quality and Improvement Plans (SQIPs) (target S4). SQIPs are submitted annually and the relevant information from schools will be included in the Council's annual report on the DES. SQIPs will include information about disability and equality where relevant Quality Indicators in How Good Is Our School are being audited. The annual report on National Priorities will provide evidence on disability and inclusion that will be reflected in the annual report on the DES. An annual report on the progress of the Accessibility Strategy will be produced in May each year and will be incorporated into the annual DES report.

10.10 Schools to maintain a copy of the DES

All CEC schools will receive a copy of the MES, incorporating the DES. All schools will receive a copy of the Accessibility Strategy.

10.11 Employment

All school staff are employed by the City of Edinburgh Council, and section 3 of this MES applies to all of these staff.

10.12 Procurement and partnership

All schools will comply with the procurement provisions contained in section 9 of this MES.

10.13 Revising the DES

Arrangements for reviewing the MES, including this chapter, are set out in section 12.

10.14 In line with the **Equality Act 2006 general and specific duties of the gender equality duty** placed upon education functions, the following arrangements are in place and constitute the Gender Equality Scheme for schools and the Children and Families Department:

10.15 Involvement

The Edinburgh Women's Equality Forum (comprising 91 organisations) was involved in the development of the Department's Mainstreaming Equalities Action Plan targets for gender and is being consulted on this scheme.

10.16 Impact assessment

Equality Impact Assessments for policies and practices in education are carried out in accordance with section 7 of the Council's MES. Education policies are assessed for their relevance on gender equality and are included in an annual programme of equality impact assessments. Schools are involved in implementing the recommendations of the Equality Impact Assessments. The recommendations from Equality Impact Assessments are published on the Council's and the Children and Families Department's websites.

10.17 Steps towards fulfilling the general duty

The Children & Families MEAP sets out the plan of action to ensure the Council meets the gender equality duty in relation to its education function. Particular targets relate to employment, attainment, gender stereotyping, promoting health and well being (especially physical education, sexual health and attitudes to violence, bullying, transgender and people of different sexual orientations)

10.18 Gathering and using information

Gender-specific data is collected and examined routinely and is used to determine trends in attainment and to target action as described above.

10.19 School actions to fulfil the general duty

The Children & Families Department MEAP contains targets that will ensure schools meet the general duty. Such targets include staff training, examining attainment data, reviewing the curriculum and embedding equalities in school improvement plans and reviews.

10.20 Annual reporting

A report on the progress of the MEAP is produced annually. A national toolkit relating gender equality to the HMle framework "How Good Is Our School 3" will be examined and distributed to all schools as soon as it is published (estimated June 2007). School Quality Improvement Plans will include gender equality targets by 2009 and these will also be reported annually thereafter.

10.21 Schools to maintain a copy of the Gender Equality Scheme.

All CEC schools will receive a copy of the MEAP and the Gender Equality Scheme.

10.22 Employment

All school staff are employed by the City of Edinburgh Council, and section 3 of the Council's MES applies. Employment practices covered by equalities monitoring include recruitment, selection, promotion, access to training, grievance, disciplinary and exit interview. The Council, its schools and all establishments are committed to positive employment initiatives, equalities training for all front line staff and a leadership, management and performance appraisal strategy that include equalities references. Positive action to ensure a more gender-balanced workforce is also promoted and internal staff groups are consulted on gender equalities issues. With the exception of teachers' pay, equal pay in education is addressed through the Council's Multi-Equalities Scheme. Teachers' pay is set by national agreement. The Children and Families department has considered whether or not there are any issues of pay discrimination and found there to be none.

10.23 Procurement and partnership

All schools will comply with the procurement provisions contained in the Council's Multi-Equalities Scheme. This means that all school contract Providers must comply with equalities legislation and this will be monitored by the Council. The responsibility for ensuring compliance with equalities legislation for any purchases outwith the Council's own procurement system (Oracle) rests with the school.

10.24 Revising the GES

This Gender Equality Scheme will run until March, 2009. The next scheduled formal review will be from January to March, 2009. A new scheme will be produced for April 2009 – March 2012.

11 Gathering and utilising information, monitoring, evaluating and reporting performance

11.1 The Council will establish a range of information gathering, performance monitoring, evaluation and reporting systems to assess how effective the MES arrangements are. Alongside equalities impact assessment and the consultation and involvement mechanisms, they will enable the Council to assess any adverse impact of existing or new functions and policies on equalities groups. This information will link directly to the relevance assessment, impact assessment and action planning processes through the MAT network.

11.2 The main information gathering systems will include:

- assessment of local, national and international research into equalities issues;
- debate and discussion at the six strategic Equalities Fora described within Section 4;
- issues registers capturing matters raised by a variety of equalities organisations who want to work in partnership with the Council on equalities;
- mystery shopper and survey exercises involving members of the six Equalities Fora;

- local action research projects examining the needs of equalities groups;
- consultation and involvement activity with the other mechanisms described in Appendix 4 including representative voluntary / community sector groups;
- consultation with national equalities groups;
- consultation with staff from equalities groups; and
- consultation with community planning partners and other public institutions.

11.3 A menu of Equality Performance Measures (EPMs) (see Appendix 13) have been developed. The EPMs will cover:

1. Scheme impacts and outcomes.
2. Employment.
3. Impact Assessment.
4. Action Planning.
5. Training.
6. Mainstreaming equalities management activities.
7. Service and information access and resources.
8. Service Satisfaction and annual information gathered and utilised from research projects and other customer / service satisfaction surveys p.a. by equalities group.
9. Community Consultation, Involvement and Capacity Building.
10. Research projects commissioned with external consultants or equalities groups.
11. Analysis of complaints.
12. Procurement.
13. Education and schools.

EPMs will utilise a mixture of qualitative and quantitative inputs, outputs, outcomes and impacts. EPMs will be the primary mechanisms to assess differential impact of existing and new Council policies and functions on equalities groups and the extent to which key impacts and outcomes are being realised. The EPMs list will be reviewed every three years in line with the tri-annual review cycle of the scheme. The Council is committed to developing EPMs in the following specific areas over the lifetime of this scheme where performance measurement is assessed as weak:

- violence against women;
- community engagement and capacity building with equalities groups;
- ascertaining the precise barriers faced by equalities groups when accessing council employment or services; and
- recording and utilising the knowledge and skills gained from equalities training.

11.4 Appendix 13 also provides a picture of Council services that have equalities monitoring systems in place. It is Council policy to:

- a) extend wherever possible and practicable the practice of equalities monitoring and to provide training and guidance to officers engaged in equalities monitoring within service provision;
- b) to inform individuals of equalities communities and community and voluntary sector equalities groups of this practice; and
- c) to utilise the data for the purposes of equalities impact assessment, action planning and other information gathering, monitoring and evaluation purposes.

The improvement of equalities monitoring systems and practice within individual departments and across the whole Council will form an integral part of the MEAP process (see Section 8).

11.5 Included in the range of EPMs is a commitment to conduct an annual survey of a sample of the Equalities Fora membership about key Council services that do not have equalities monitoring systems in place (see Appendix 13). These surveys will enable the Council to assess how satisfied or dissatisfied the Equalities Fora members are with these services. This annual survey will also include questions that will enable the Council to assess whether Equalities Fora members are satisfied with the way in which the Fora work and how effective the Fora are in addressing areas of concern.

11.6 The duty to monitor equalities within employment is described in Section 3. Annual monitoring, evaluation and

public reporting of employment statistics will take place to inform future Human Resource Strategy developments.

11.7 Each Council department will be required to produce a three yearly Mainstreaming Equalities Action Plan (MEAP) (see Section 8). Yearly monitoring, evaluation and reporting of progress against targets described within the MEAPs will form part of the MES annual report.

11.8 The Council will produce financial information on officer resources, mainstream budgets, grant aid and commissioning funding that goes towards providing services for equalities groups and building capacity to address equalities issues.

11.9 The Council will produce a range of other committee and briefing reports to the Council Committees, Neighbourhood Partnerships and Edinburgh Partnership Board on a range of equalities issues, as and when they arise.

11.10 The reporting framework that will bring these different systems together will be the Corporate Equalities Balanced Scorecard (CEBS). The BS is a method of collecting and reporting different information gathering, performance monitoring and evaluation systems into a coherent whole. For the purposes of this scheme the CEBS will have four themes:

- a) customer, service users and partners;
- b) innovation and learning;
- c) management processes; and
- d) finance and resources.

11.11 The various EPMs will be presented by the above four themes in a MES annual equalities performance report to the Policy and Strategy Committee and Council Management Team, by the end of June of each year. Appendix 14 provides more detail of the CEBS arrangements for the purposes of this scheme and the annual report. The corporate equalities support staff in the Performance, Strategy and Policy Division will be responsible for producing the annual performance report, based on information

provided by community planning partners, the six Equalities Fora and individual council departments.

11.12 The annual performance report will also describe key challenges and targets for the year ahead. This report and accompanying summary documents will be distributed to the Equalities Fora, whose comments and discussions will be formally noted and recorded. In all cases, annual reporting will be done in partnership with key community planning partners, in particular Lothian and Borders Police and NHS Lothian.

11.13 The annual performance report will highlight measures that assist the Council to analyse trends in performance, that assist the Council to benchmark performance against similar organisations and that could potentially contribute to the proposed national framework for measuring equality devised by the UK Equalities Review, described below:

1. The capability to be alive.
2. The capability to live in physical security.
3. The capability to be healthy.
4. The capability to be knowledgeable, to understand and reason, and to have the skills to participate in society.
5. The capability to enjoy a comfortable standard of living, with independence and security.
6. The capability to engage in productive and valued activities.
7. The capability to enjoy individual, family and social life.
8. The capability to participate in decision-making, have a voice and influence.
9. The capability of being and expressing yourself, and having self-respect.
10. The capability of knowing you will be protected and treated fairly by the law.

12. Review of the MES

12.1 This revised scheme will run until March 2009. The next scheduled formal review of this revised scheme will be from January 2009 – March 2009. A new scheme will be produced for April 2009 to March 2012.

12.2 Thereafter the Council will commit to a minimum of a tri-annual formal review of MES arrangements done in partnership with the MAT network, Equalities Fora, community planning partners and other key public bodies including the relevant Equality Commission/ s.

12.2 The need for interim reviews of MES arrangements will be assessed, agreed and led by the Council's MAT Lead Officers Group.

13. Contact details for further information and alternative copies

13.1 For more information on this scheme or alternative copy formats including braille, audio tape, summary versions or other languages please contact:

Nick Croft
Equalities Manager
Performance, Strategy and Policy Division
Corporate Services
City of Edinburgh Council
4 East Market Street
Edinburgh
EH8 8BG

Tel: 0131 469 3603

Email: nick.croft@edinburgh.gov.uk

13. Appendices

13.1 There are 16 MES appendices that describe in more detail the nature of Council arrangements to meet equalities legal duties and bring about change and impact. These are contained within a separate document, which can be obtained from the details provided above.