



SINGLE EQUALITY SCHEME

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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 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 Equality Act aims to improve and strengthen existing laws but also to make the current complex set of discrimination laws much simpler and easier to understand. The Act 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. The Equality Act received Royal Assent on 8 April 2010 and is due to commence in October 2010. Certain parts such as the socio-economic duty may not come into force until 2011.

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 Act reduces 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

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

Research carried out by Grampian Racial Equality Council on behalf of the Moray Council in 2010 and 2011 identified the existence of informal networks of LGBT groups in Moray and informal telephone and internet support in relation to LGBT issues. Using focus group meetings, the study highlighted the need for a more formal support network and more formal methods of engaging with the Moray Council.

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.

The Single Equality Scheme action plan has therefore been developed to enable the Council to meet this commitment.

Scrutiny of our community profile has enabled us to identify priority areas. One example is the lack of alternative short-stay or halting sites for Gypsy/Travellers in Moray at present. As a result this has been incorporated in the action plan.

The action plan has also been developed in consultation with the Moray Equalities Forum – the advisory and consultative forum for the Community Planning Partnership. The Forum has identified issues with local transport services resulting in this also being included in the action plan.

In addition to those actions which have been identified through investigation of the community profile, the following have also been included:-

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

Equality Impact 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 Councils 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 ensuring that Equality impact assessments are carried out, that 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. All equality impact assessments will be scrutinised by the Equality and Diversity Corporate Advisory Forum and selected assessments will go to the Moray Equalities Forum for additional scrutiny. This is to ensure that 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 is a requirement to monitor the pay equality. 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

➤ **SINGLE EQUALITY SCHEME ACTION PLAN**

| ACTION | OUTCOME | RESPONSIBLE OFFICER | START DATE | COMPLETION DATE | PROGRESS/ COMMENT |
|--|--|---|---|-----------------|---|
| Actions arising out of Public Sector Equality Duty | | | | | |
| Continue to carry out equality impact assessments on policies and activities which are relevant to equality groups | Avoid knowingly discriminating against protected groups in decision making process, and develop mitigating actions where needed. | Lead officers in the various departments. Monitored by the equal opportunities officer and scrutinised by the Equality and Diversity Corporate Advisory Forum | In process. For new activities, equality impact assessments need to be completed before a decision is made. | Ongoing | New form and guidance in place to facilitate proactive approach to EIAs, in compliance with EHRC guidance |
| Carry out consultation / involvement with equality groups on decisions that are likely to affect them | Service users are involved in the creation of policies and working practice. | Lead officers in the various departments. Monitored by the equal opportunities officer and scrutinised by the Equality and Diversity Corporate Advisory Forum | June 2011 | Ongoing | New EIA guidance provides guidance to officers about consultations |

| ACTION | OUTCOME | RESPONSIBLE OFFICER | START DATE | COMPLETION DATE | PROGRESS/ COMMENT |
|--|---|--|-------------------|------------------------|---|
| 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. | Elected members are aware of the possible impact of their decisions and, where appropriate, of mitigating actions that can be taken | Equal opportunities officer | January 2011 | June 2011 | Draft guidance has been approved by CMT |
| Training of staff to meet legislative requirements | Ensure that managers and their staff are aware of their responsibilities under the Equality Act 2010. | Equal opportunities officer | In process | December 2011 | Equality training module will be available through e-learning by September 2011 |
| Provide translation and interpretation services when required | Information can be made available in alternative formats/ languages when required. | Project officer/equal opportunities officer | In process | In place | New contracts for interpretation and translation are in place |
| Actions arising out of GREC report | | | | | |
| Continue to monitor discriminatory incidents | Discriminatory incidents are analysed in order to identify priorities for action. | Equal opportunities officer to forward reports to GREC. GREC to produce annual reports | In process | Ongoing | |

| ACTION | OUTCOME | RESPONSIBLE OFFICER | START DATE | COMPLETION DATE | PROGRESS/ COMMENT |
|--|--|--|-------------------|------------------------|--------------------------------|
| Investigate demand and establish an LGBT venue in Moray | LGBT people have a local venue for advice and assistance | Equal opportunities officer | June 2011 | June 2012 | |
| Liaise with the LGBT community in Moray outwith the Moray Equalities Forum. | Enable the LGBT community to discuss their concerns with the council in a more appropriate setting. | Equal Opportunities Officer | June 2011 | Ongoing | GREC recommendations published |
| Further promotion of the use of incident reporting forms in schools. | Education officers and teachers have a better understanding of the scale and nature of discriminatory incidents in school. | Equal opportunities officer and head of additional support | May 2011 | Ongoing | GREC recommendations published |
| Liaise with the Muslim community in Moray outwith the Moray Equalities Forum | Enable the Muslim community to discuss their concerns in with the council in a more appropriate setting. | Equal opportunities officer | May 2011 | Ongoing | GREC recommendations published |
| Develop a broad network of user or equality groups to feed into Moray Equalities Forum with key representatives with a sub group of members to form a steering group | More equality groups are involved in the Moray Equalities Forum. | Equal opportunities officer and MEF Chair to lead | June 2011 | December 2011 | GREC recommendations published |

| ACTION | OUTCOME | RESPONSIBLE OFFICER | START DATE | COMPLETION DATE | PROGRESS/ COMMENT |
|---|---|---|-------------------|------------------------|--|
| Develop a model constitution for the Moray Equalities Forum | The Moray Equalities Forum has a governing document. | Equal Opportunities Officer and MEF Chair to lead. Model constitution to be discussed and developed at next MEF meetings. | June 2011 | December 2011 | Model constitution is included in the GREC recommendations |
| Give support to individuals and organisations within the Moray Equalities Forum, such as training, support with funding applications and completing key forum tasks | Moray Equalities Forum becomes a more independent and sustainable organisation. | Equal opportunities officer and MEF Chair to lead, with involvement from CSU. | June 2011 | Ongoing | |
| Encourage the Moray Equalities Forum to develop links with North East Scotland Equality Network (NESEN) or Highlands and Islands Equality Forum (HIEF) | Equality groups from the various regions share information. | Equal opportunities officer with MEF steering group. | June 2011 | Ongoing | |