



# Equality Outcomes, Mainstreaming Report and Action Plan Review 2013-15

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## Introduction

This report provides an update on progress made in relation to delivering our Equality Outcomes 2013 – 2015. The report also provides information on the actions we have taken to support the mainstreaming of equality across all of our functions during the same period.

## About the Care Inspectorate

Established in April 2011 under the Public Services Reform (Scotland) Act 2010, we are the official body responsible for inspecting standards of care in Scotland. That means we regulate and inspect care services to make sure they meet the right standards. We also carry out joint inspections with other regulators to check how well different organisations in local areas are working to support adults and children. We help ensure social work, including criminal justice social work, meets high standards. Everyone is entitled to safe, high quality, compassionate care that meets their needs. It is against the law for care services to operate unless they register with us.

Our 600 staff work nationally across Scotland. Specialist inspectors visit thousands of care services every year. We evaluate their quality, require them to improve if necessary, and investigate complaints. Teams of our inspectors work with colleagues from health, education and justice to carry our joint inspections across community planning partnership areas.

We regulate around 14,000 individual care services. The main types are:

- Childminders
- Children's nurseries
- Care homes for older people, adults and children
- Care at home
- Housing support
- Playgroups and out of school clubs.

We also regulate specialist services like day care, adoption and fostering agencies, childcare agencies, nurse agencies, school accommodation, secure accommodation and respite care.

## Equality Legislation – Our Specific Equality Duties

In April 2011, the Equality Act (2010) introduced a positive general duty on public bodies in Scotland, in the exercise of their functions to give due regard to the need to:

- eliminate discrimination, harassment victimisation or any other prohibited conduct
- advance equality of opportunity
- foster good relations, by tackling prejudice and promoting understanding

Scottish Ministers introduced specific duties to support the better performance of the general duty. The specific duties require public bodies in Scotland, including the Care Inspectorate to:

- publish a report on the progress made on mainstreaming equality across all functions of the organisation by 30 April 2013 and then every 2 years thereafter;
- set and publish equality outcomes by 30 April 2013 and report on their progress every four years based on evidence and involvement of equality groups and communities;
- Equality impact assess all new and existing policies (including decisions e.g. financial) taken by public authorities; (from 27 May 2012)
- gather and publish employment data on the make-up of the organisation by protected characteristic
- publish statements on equal pay between equality groups and on occupational segregation from equality groups in particular grades and particular occupations
- consider award criteria and conditions in relation to public procurement
- publish equality documents (impact assessments, equality outcomes etc.) in a manner that is accessible.

In April 2013, we, like all other public bodies in Scotland published documents detailing how we would meet the specific duties. Both publications “Towards Equality: Fairer Care, support and Social Work Services in Scotland” and “Equality Outcomes 2013-2017” are available on our website<sup>1</sup>.

## Equality Outcomes

Following consultation and research<sup>2</sup> in 2012-2013 with equality groups, and other stakeholders, we agreed to focus on four Equality Outcomes, all of which were linked to the Corporate Plan 2011 – 2014.

Equality Outcome	Link to Corporate Plan 2011-2014 Outcome
<b>1. We take effective action to protect and promote the rights of people of all ages, sex including transgender, sexual orientation, those with</b>	Outcome 2: People understand the quality of service they should expect and have a good experience of services

<sup>1</sup> [http://www.careinspectorate.com/index.php?option=com\\_content&view=article&id=8581&Itemid=100222](http://www.careinspectorate.com/index.php?option=com_content&view=article&id=8581&Itemid=100222)

<sup>2</sup> For full details please see “Equality Outcomes 2013-2017”.

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<b>disabilities, of all races and people of any or no faith or belief.</b>	centred on their needs, rights and risks.
<b>2. People of all ages and sex including transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief, receive good and improving care and social work services.</b>	Outcome 1: The quality of services in Scotland is improving. Outcome 2: People understand the quality of service they should expect and have a good experience of services centred on their needs, rights and risks. Outcome 3: The Care Inspectorate performs effectively and efficiently as an independent scrutiny body and works well in partnership with other bodies.
<b>3. More people of all ages and sex including transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief tell us about the care and social work services they experience and want.</b>	Outcome 1: The quality of services in Scotland is improving.
<b>4. Our workforce, across all grades and occupations, best reflects and supports the needs of the people we serve.</b>	Outcome 1: The quality of services in Scotland is improving. Outcome 2: People understand the quality of service they should expect and have a good experience of services centred on their needs, rights and risks. Outcome 3: The Care Inspectorate performs effectively and efficiently as an independent scrutiny body and works well in partnership with other bodies.

### Progress Made on Equality Outcomes

A detailed action plan to support the delivery of the Equality Outcomes was also developed and published in 2013. Specific details of the progress on our equality action plan made over the past two years is included as Appendix 1. Here we have highlighted some of the main areas of progress.

<b>Equality Outcome 1:</b> We take effective action to promote the rights of people of all ages, sex including transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief.
<b>Progress:</b> We have taken a range of actions to look at how we can embed equality into our inspection, complaints, regulation, enforcement and serious incidents. These actions included the development of a range of policy documents including a new Equality Policy for employees, Equality Policy Guidance for Managers and a revised Dignity at Work Policy. Full details of progress on delivery of this outcome can be found at Appendix 1.
<b>Equality Outcome 2:</b> People of all ages and sex including transgender, sexual orientation, those with disabilities or who are from minority race group and people

of any or no faith or belief receive good and improving care and social work services.

**Progress:** The many thousands of inspections of individual care services we have undertaken over the reporting period show that the quality of care services in Scotland is improving. The services evaluated as good or better across all quality themes rose between the last two inspection years (2012-13 and 2013-14) although there are still services whose performance is inadequate.

We have improved and continue to improve the accessibility of the information published by the Care Inspectorate. Since May 2013 we have had 183 requests for our information to be produced in alternative formats. This has included formats such as Easy Read, Braille, large print and audio; and for translations to languages including Polish, Mandarin, Hindi and Russian. We continue our partnership with the organisation 'Happy to Translate' to promote the fact that we will provide information in alternative formats on request. We have published leaflets in easy read format on the role of the Care Inspectorate and how to make a complaint. We have taken steps to improve the accessibility of our website and this work will continue into the new reporting period (2015-2017).

We have also developed an Equality Impact Assessment Tool to assist managers and policy writers to undertake effective equality impact assessments, ensuring that we have taken steps to eliminate discrimination, advance equality of opportunity and foster good relations between different groups.

**Equality Outcome 3:** More people of all ages and sex including transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief tell us about the care and social work services they experience and want.

**Progress:** An updated Involvement Strategy is currently in development. We engage a number of groups and individuals via the Involving People Group. We have also held and /or attended a number of events including a national recruitment campaign to promote the work of the Care Inspectorate and encourage people to become involved, report complaints. Through the course of our inspections our inspectors and Inspection Volunteers speak with many individuals about the level and quality of care they are receiving.

**Equality Outcome 4:** Our workforce, across all grades and occupations, best reflects and supports the needs of the people we serve.

**Progress:** We have a number of programmes in place to enhance the diversity of our workforce and we wish to make further progress in this area. This includes regular reviews of our employee monitoring information which we operate on a self-reporting basis. Information about a variety of equality issues and support organisations has been published on our intranet. We have also developed and delivered Equality and Diversity training which is mandatory for all staff to attend. Information on equality dates and events is also included in our Intranet and newsletters to encourage staff to find out more about equality issues such as LGBT History Month, Holocaust Memorial Day and International Women's Day. Information is also shared more informally via Yammer, a social media platform for business.

## **Mainstreaming equality across the organisation 2013-2015**

Equality has been a core part of our business and this approach was enhanced following the introduction of the equality duties. Since 2013 there have been a whole range of projects and developments within the Care Inspectorate which have helped us meet our duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between different groups. The following case studies provide information on just some of the work that has taken place.

### **Equality Implementation Group**

The Equality Implementation Group was set up in 2013 to help support the delivery of the Equality Outcomes and mainstreaming report published in April 2013. The group is chaired by the Head of Quality and Improvement and involves staff members from each service across the organisation. The purpose of the group is:

- to monitor progress (within the Care Inspectorate) on meeting the duties of the Equality Act 2010 including the Public Sector Equality Duties
- to discuss, debate and make recommendations to the Executive Team on equality issues;
- to progress, review and report on annual equality outcomes and report to Executive Team and Board;
- to support the mainstreaming of equality issues and information across the organisation.

Minutes of the meetings of the Equality Implementation group are available and published for all staff to see.

### **Development of a single Involvement and Equalities Team**

As part of the wider review of the organisational structure a Single Involvement and Equality Team was created in August 2013. The team includes a Senior Involvement and Equalities Adviser, Involvement Advisers and Coordinators and an Equalities and Engagement Adviser.

The creation of this team has led to an enhanced and unified approach to involvement and mainstreaming of equality across the organisation.

### **Inspection Volunteers and Involving People Group**

In early 2014 we changed the name of our 'lay assessors' to Inspection Volunteers in order to make the role clearer for anyone who may be interested. Regular recruitment drives have taken place to promote the opportunities available.

We also involve young people aged 18 – 26 years with experience of using care services in our inspection process. We receive support from Move On, a charity organisation to allow young people to be fully involved in the inspection process, from running focus groups with young people using services to seeking information and views from senior managers. In the past two years, Young Inspection

Volunteers have participated in all of our local authority strategic inspections as well as a variety of other project work.

In February/March 2015 we asked all of our Inspection Volunteers and Involving People Group members to provide information on their protected characteristics.

As a result of this exercise we know the following:

- 45% are aged 65 or over
- 80% are female
- 35% have a disability
- 95% are White British (including White Scottish)
- 67% are Christian
- 49% are married
- 93% are heterosexual/straight

As such, actions have been developed within our Equality Action Plan 2015-17 to encourage under-represented groups to be involved in our work either as Inspection Volunteers or members of the Involving People Group.

Further information on Inspection Volunteers and the Involving People Group is available on our website.

### **Equality and diversity training for Care Inspectorate employees**

A key part of our equality work over the past two years is the delivery of Equality and Diversity Training to all staff. It was agreed by the Board and Executive Team that this should be mandatory training. At the point of writing this report (March 2015), 521 staff from a possible 611 have participated in the training. Remaining staff are required to attend before the end of May 2015.

The Equality and Diversity training provides an overview of equality legislation, case studies and examples of good practice. The training also includes a group exercise 'Escape from Earth' which encourages participants to question their own bias and preconceptions of different groups. The training has been well received by staff.

### **Partnership working**

Over the 2013-15 period we have continued to work in partnership with other regulators, organisations and professionals to ensure vulnerable people, often with a mix of protected characteristics, receive the highest level of care possible. This is also in line with our duty of cooperation with other inspection agencies.

Our rehabilitation and dementia consultants work closely with care service providers and other organisations to help improve the quality of life for people using care services. Working with a range of partner organisations we have launched a number of resources including our 'Care...about Physical Activity', Go

for Gold Challenge Scotland, Care...about swimming and Caring about Continence.

### Go for Gold Challenge Scotland

Go for Gold aims to:

- promote and celebrate participation in physical activity amongst older people supported by the care sector.
- build capacity in the workforce in the care sector to promote physical activity with older people on a day to day basis.
- develop links between the care sector in Scotland and physical activity organisations.
- contribute towards the 2014 Glasgow Commonwealth Games Legacy.

### **Healthy Working Lives**

The Health Working Lives Programme<sup>3</sup> led by the Scottish Government was introduced in the Care Inspectorate in 2014, aimed at supporting staff to lead healthier lives. The Care Inspectorate recently received a Bronze Award. Some of the main issues addressed through the programme are directly related to issues which affect staff with protected characteristics:

- A wide range of health related information available on the Healthy Working Lives section of the Intranet
- Promotion of Movember across all offices and Intranet
- Promotion of World Aids Day across all offices and intranet
- Prostate Cancer Awareness Raising Sessions in offices
- National Stress Awareness Day 5/11/14 – leaflets, posters available and displayed in each of the CI offices.
- Dementia Awareness sessions delivered to staff in accordance with SG dementia strategy.

Work on Healthy Working Lives will continue throughout the next reporting period (2015-2017).

### **Policy Review Group**

The Policy Review Group was set up in 2014 in order to ensure staff have input to policies and plans developed by our Organisational Development Teams, many of which have particular relevance for staff with protected characteristics. Since the group first met there has been discussion on a range of different people management / Organisational Development topics including:

- Annual leave
- Capability

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<sup>3</sup> Further information on the programme can be found at <http://www.healthyworkinglives.com/>



- Equality and diversity
- Family friendly policies (adoption, carer's leave, fostering, maternity, paternity and parental leave)
- Flexible working (including career breaks and flexible retirement)
- Induction
- Lone working
- Maximising attendance
- Smoking
- Social media
- Special leave
- Whistleblowing

The group has given us a real insight into what already works well and what we can do to improve. The Policy Review Group will continue to meet on a regular basis.

## **7. Further Information**

Information on the Care Inspectorate's approach to equality and meeting the requirements of the Equality Act 2010 and subsequent regulations can be found on our website at [www.careinspectorate.com](http://www.careinspectorate.com)

## Equality Outcomes Action Plan Review 2013-15

This paper lists the equality outcomes set for 2013 – 15, the agreed actions, and the progress we have made towards meeting them.

General Duty	Equality Outcome	Action	Progress
Eliminate discrimination, harassment and victimisation.	We take effective action to protect and promote the rights of people of all ages and sex including Transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief.	We will gather, assess and use equality information relevant to registration, inspection, complaints, enforcement and serious incidents in 2013/15	Initial meetings held to consider how the information can be gathered and utilised effectively. This work will continue under the new equality Outcomes 2015-17.
		We will monitor how our practice guides take account of equalities and the difference they make in addressing inequalities.	Practice guides have now been superseded and there is extensive information on The Hub. Equality information is now being included in equivalent guides as a matter of course.
		We will publish information on the extent to which community planning partners are successfully tackling inequalities and closing outcome gaps through effective prevention and early intervention.	Equality information is included within joint inspection reports and in some care service inspection reports. Work has commenced to consider how this information can be highlighted and utilised more effectively in future reports. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
		We will focus on tangible results in improving the life chances of vulnerable children and young people.	Our joint inspections of services for children, and other scrutiny work such as reviewing the deaths of looked after children and our child protection link inspector role, directly support this. Information within this area is being included within the new Involvement Strategy. The Youth Employment Strategy also focuses on this area. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
		We will monitor records of staff incidents for people with protected characteristics and use this information to reduce discrimination,	Equality monitoring is now undertaken as a matter of course in this area. There are very low disclosure rates from staff. We are working to

		victimisation harassment or any other conduct prohibited by the Equality Act 2010 against our staff.	assure staff that information will be treated confidentially. The update on employment information provides further details. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
<b>General Duty</b>	<b>Equality Outcome</b>	<b>Action</b>	<b>Progress</b>
Eliminate discrimination, harassment and victimisation	We take effective action to protect and promote the rights of people of all ages and sex including Transgender, sexual orientation, those with disabilities, of all races and people of any or no faith or belief.	We will raise awareness of our whistleblowing statement among our staff so that discrimination, victimisation and harassment experienced in the workplace can be quickly raised and addressed.	A new Whistleblowing Policy was developed and agreed during 2014. We also published a revised Dignity at Work Policy in 2014 and this specifically covers issues in relation to bullying, harassment, discrimination and victimisation. Work is also being undertaken via team meetings, all staff updates, Yammer and the staff intranet to reinforce the messages.
		To progress the equality duty we plan to gather, assess and use equality information about grievance and disciplinary incidents and whistleblowing.	This information is collated on a regular basis. There are very low disclosure rates from staff. We are working to assure staff that information will be treated confidentially. The update on employment information provides further details. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
		We will improve accessibility of information on our website and microsities further.  We will publish all documents translated at the request of individuals on our website.	The website is currently being updated to become more accessible. A new equality page has also been created on the website which pulls together all documents/policies relating to equality and diversity.  The Care Inspectorate has been a member of 'Happy to Translate' since April 2011. This ensures that we can meet all requests for translations/alternative formats on request.

General Duty	Equality Outcome	Action	Progress
Advance Equality of Opportunity	People of all ages and sex including transgender, sexual orientation, those with disabilities or who are from minority race group and people of any or no faith or belief, receive good and improving care and social work services.	We will review how we carry out equality impact assessments (EIA) so that we consult with more people with protected characteristics who might be adversely affected by our policy development or implementation.	A new equality impact assessment tool is being developed and rolled out across the organisation. We held a consultation event in February with a range of equality organisations and community groups. This provided information on how we could engage with groups on a more regular/formal basis in relation to equality impact assessment. This will be an action within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
		To make sure we continue to recruit and promote staff fairly. We will collect more information and carry out a more detailed analysis of our employment information in relation to the protected characteristic groups.	This information is collated on a regular basis. We also supplemented this work in January/February 2015 with a project which asked all employees to provide equality monitoring information via the Pulse system. The update on employment information provides further details. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.
Advance Equality of Opportunity	People of all ages and sex including transgender, sexual orientation, those with disabilities or who are from minority race group and people of any or no faith or belief, receive good and improving care and social work services.	We will use this information to inform our human resources strategy.	A new Organisational Development Strategy is currently under development and will meet all requirements in terms of equality and diversity.
		We will monitor the ethnic diversity of our staff against other organisations to consider how well we achieve a workforce that best represents the equality interests of all people living in Scotland.	This work is undertaken on a regular basis. The latest report compares the make-up of the organisation with the population of Scotland as reported in the results of the Census 2011. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.

General Duty	Equality Outcome	Action	Progress
<p>Fostering good relations between those who share a protected characteristic and those who do not.</p>	<p>More people of all ages and sex including transgender, sexual orientation, those with disabilities or who are from minority race groups and people of any or no faith or belief tell us about the care and social work services they experience and want.</p>	<p>We will develop and implement specific user group strategies – setting out how to involve more young people, harder to reach groups of people (those who experienced homelessness, domestic abuse, drug and alcohol addictions, criminal justice services) and those from ethnic minority communities.</p>	<p>A new Involvement Strategy is currently in development. We engage a number of groups and individuals via the Involving People Group. We have also held and /or attended a number of events including a national recruitment campaign to promote the work of the Care Inspectorate and encourage people to become involved, report complaints etc. The Board agreed a new approach to proactively consulting with stakeholders in 2014 to support better engagement with seldom heard groups. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.</p>
		<p>We will collect equality information from all involved people and use this to ensure there is full representation of people from all of the protected characteristic groups.</p>	<p>This information is collated and updated on a regular basis. An exercise was undertaken in Jan/Feb 2015 with involved people and inspection volunteers. Results of this exercise are currently being examined and actions are being developed to diversify this group. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.</p>
		<p>We will actively seek to share good practice findings with equality groups.</p>	<p>The online Hub has been introduced to promote areas of good practice with all groups. Work is also being undertaken to establish more regular engagement with equality groups to seek views and share areas of best practice. This will also look at how to link up with various equality networks across Scotland. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.</p>
		<p>We will encourage equality groups to highlight examples of good practice so that we can take account of these in all areas of our work.</p>	
		<p>We will share our resources and research expertise in the development of innovative practices in the care and social work sector.</p>	

General Duty	Equality Outcome	Action	Progress
All three parts of the general duty as defined above.	Our workforce, across all grades and occupations, best reflects and supports the needs of people with protected characteristics who we serve.	Our employee development plan includes compulsory training on equality and diversity for all new staff.	All staff where possible have received initial Equality and Diversity Training. We are considering implementation of online training for staff unable to attend training. We will also be including equality issues within induction of new staff.
		Our employee development team have developed a training package for all staff and this will be delivered in 2013-15	
	Our workforce, across all grades and occupations, best reflects and supports the needs of people with protected characteristics who we serve.	We will review our staff intranet so that staff can more easily research and reference information relevant to all of the protected characteristic groups.	Information has been included on both our Intranet and website. This also includes links to organisations representing and supporting particular protected characteristics such as LGBT Youth Scotland. Please see <a href="http://www.careinspectorate.com">www.careinspectorate.com</a> for more information.
		We will ensure there are many more links from our documents and publications to equality groups to support direct contact for people who do not share protected characteristics with those who do.	This work will continue within the development of the Involvement Strategy (as set out above) and also through regular engagement with equality groups. This work will continue within the action plan being developed to support the delivery of our Equality Outcomes 2015-17.

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## Other languages and formats

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