



# **Equality Outcomes, Mainstreaming Report and Action Plan**

**2017-2019**

**Contents:**

**INTRODUCTION & BACKGROUND**

- Who we are and what we do
- Equality legislation
- Protected characteristics

**MAINSTREAMING EQUALITY IN THE CARE INSPECTORATE**

- Background to mainstreaming equality
- Involving people with protected characteristics in our work
- Raising awareness of our equality work
- Reporting, Monitoring and Review

**EMPLOYEE INFORMATION**

- How we collate employee Information
- Who are our employees?

**EQUALITY OUTCOMES 2017 -2021**

- Background
- Consultation and Engagement around new outcomes
- Equality Outcomes: Information and evidence base
- Our Equality Outcomes 2017-21
- Reporting, monitoring and reviewing our equality outcomes
- Further Information

**EQUALITY OUTCOMES ACTION PLAN 2015 - 2017**

**Appendices**

**Appendix 1 -** *Equality Outcomes Action Plan 2017-19*

**Appendix 2 -** *Employee Monitoring Information 2015-17*

Further information in relation to equality and diversity within the Care Inspectorate can be found on our website [www.careinspectorate.com](http://www.careinspectorate.com). Information can also be obtained from our Involvement and Equalities Team by emailing [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com) or calling 0345 6009527.

## **INTRODUCTION & BACKGROUND**

This report sets out our new Equality Outcomes for 2017 - 2021 and our intended approach to mainstreaming equality throughout the organisation as required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. The report also includes:

- Our new Equality Outcomes Action Plan 2017-19 (Appendix 1) which sets out the actions being proposed to fulfil both the general and specific duties in the next two years.
- Care Inspectorate employment information including gender pay reporting (Appendix 2) – a breakdown of the structure of our organisation by protected characteristic (equality group)

### **Who we are and what we do**

- We were established in April 2011 under the Public Services Reform (Scotland) Act 2010, as a scrutiny body that supports improvement in care and are developing world-class approaches to rights-based scrutiny.
- We make sure every local authority, integrated joint board and community planning partnership meets the highest care standards.
- We are on a journey moving from compliance to collaboration, building effective relationships to better support high quality care for everyone.
- We work with 14,000 care services across early learning and childcare, integrated health and social care, social work and community justice.
- We're changing how we work, to focus on evidencing outcomes for people who experience care, their families and carers, detailed within the new National Care Standards
- Last year we carried out over 7,000 inspections and published all our reports online. Our findings help people choose care and provide public assurance.
- We also checked that 1,000 new care services were fit to operate and looked at 4,000 complaints about care and formally investigated half of them.
- We spend thousands of hours supporting improvement, but if people are at risk of harm, we have tough powers to require change or take enforcement action.
- Our evidence and experience informs national and local care policy.
- In everything we do, we put the views, choices and rights of people who use care and their carers, first.
- We must be confident in how we add public value.

The Act also sets out specific duties for partnership working:

- **Duty of Co-operation**

This duty requires us to collaborate closely with other scrutiny and improvement bodies like Healthcare Improvement Scotland, Education Scotland, Audit Scotland and Her Majesty's Inspectorate of Constabulary Scotland to co-ordinate our scrutiny activities so that regulation, inspection and audit across Scotland are efficient, effective and duplication is reduced. We also play a key role in improving the quality of care across Community planning partnerships and in collaboration with other scrutiny bodies.

- **Duty of User Focus**

This duty requires us to put people who use services and their carers at the heart of our work. This is critical to improving the quality, design and delivery of care across Scotland as well as making a significant impact in shaping our business activities and national policy developments.

## **Equality Legislation**

**The Equality Act 2010** harmonised over 100 pieces of existing equality legislation in an effort to reduce confusion, give equal protection to each group and introduce measures to help tackle these levels of discrimination. Particular elements of the Act have been brought into force gradually since 2010. In April 2011, the Public Sector General Duty was introduced which related to the measures required of public sector organisations to:

- Eliminate discrimination, harassment victimisation or any other prohibited conduct
- Advance equality of opportunity
- Foster good relations – by tackling prejudice and promoting understanding

To underpin and support better performance of the General Duty, Scottish Ministers introduced further Specific Duties in 2013 which require us to:

- Publish a report on the progress made on mainstreaming equality every two years
- Publish equality outcomes 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 eg financial) taken by public authorities;
- Gather and publish employment data on the structure 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 information in a manner that is accessible.

The implementation of the equality duties is scrutinised by the Equality and Human Rights Commission (EHRC), a Non-Departmental Public Body working across Great Britain with the responsibility to uphold and promote equality and human rights law. The

Commission has significant powers to enforce the equality duties including, ultimately, launching official inquiries and formal investigations.

### **Protected Characteristics**

The Equality Act 2010 introduced nine protected characteristics outlined below.

<b>Protected Characteristic</b>	<b>Definition</b>
<b>Age</b>	Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).
<b>Disability</b>	A person has a disability if they have a “physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-today activities.”
<b>Gender Reassignment</b>	The process of transitioning from one gender to another.
<b>Marriage and Civil Partnership</b>	In Scotland marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act).
<b>Pregnancy and Maternity</b>	Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.
<b>Race</b>	Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, and/or nationality (including citizenship) ethnic or national origins. This includes Scottish Gypsy/Travellers.
<b>Religion and Belief</b>	Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.
<b>Sex</b>	A man or a woman.
<b>Sexual Orientation</b>	Where a person's sexual attraction is towards their own sex, the opposite sex or to both sexes ie Heterosexual/Straight, Lesbian, Gay or Bisexual.

## MAINSTREAMING EQUALITY IN THE CARE INSPECTORATE

### Background to Mainstreaming Equality

Mainstreaming the equality duty simply means integrating equality into the day to-day work of a public body. This means taking equality into account in the way the organisation exercises its functions. In other words equality should be an integral part of everything an organisation does. The Equality and Human Rights Commission provides further information for public bodies on mainstreaming equality:

Mainstreaming the equality duty has a number of benefits including:

- Equality becomes part of the structures, behaviours and culture of an organisation
- An organisation knows and can demonstrate how, in carrying out its functions, it is advancing equality
- Mainstreaming equality contributes to continuous improvement and better performance.

The Care Inspectorate's Transformation Plan has four themes:

- ❖ Consolidating excellence in all that we do
- ❖ Cultural change
- ❖ Investing in our competent, confident workforce
- ❖ Collaboration

All of these themes take equality and human rights issues into account and through the implementation of our Transformational Plan, we will continue to ensure that equality and diversity issues are given priority and mainstreamed across the organisation. We have outlined below some examples of how we are and will continue to actively mainstream and improve our work in equalities in the organisation:

#### ***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.

#### ***Equality Advisory Group:***

Our Equality Advisory Group was set up jointly with the Scottish Social Services Council in June 2016 to enhance our approach to engagement on equality issues. The first

meeting of the group was held in June 2016 and provided an opportunity for equality organisations and interested individuals to share information on key equality issues which have an impact on the provision of social care in Scotland. The group also met in January 2017 to contribute to the development of our new Equality Outcomes for 2017-19.

### ***Equality Consultations***

To enhance our policy work and inform us better of the barriers faced by people from different protected characteristic groups, we ask for the views, opinions and feedback of these groups and their representative organisations. We gather these views by holding equality consultation events, promoting our equality surveys and inviting feedback, comments and input into any area of our work.

We also use the information we receive to inform our Equality Impact Assessment processes and ensure that we are producing policies that are fit for purpose and are inclusive regardless of protected characteristic groups.

### **Involving People with protected characteristics in our work**

We are committed to involving people from all equality groups and our work. In particular we involve people who use care services and their informal carers (family members / friends), many of whom live with disabilities. We published our Working Together, Improving Together Plan 2015-18 in June 2015 which outlines our Involvement Charter, Outcomes and Action Plan. We believe we can make care services in Scotland better by working with people who have personal experience of those services. To ensure we are involving people meaningfully, we have clear outcomes and action that we are progressing. We use a range of different involvement activities to get as many people from different protected characteristic groups involved in the work we do. These include:

<b>Inspection Volunteers</b>
We currently have around 80 Inspection volunteers who accompany our inspectors whilst carrying out inspections of care and social work services and also on our strategic inspections of local authority areas. We support our volunteers to work with us, offering training, paying expenses and meeting any support needs they may have.
<b>Young Inspection Volunteers</b>
We also involve young people aged 18 – 26 years with experience of using care services in our inspection processes. 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. Young Inspection Volunteers receive extensive training which gives them the skills and knowledge to feel confident in their role.
<b>Involving People Group</b>

This group meets regularly to help us develop and improve the work we do. Members also help us train and recruit staff; consult on project groups; make presentations at external events and services; recruit new involved people and take part in internal working groups. There are currently around 30 core members of the Involving People Group with an additional 40 who receive information about our work and contribute in different ways.

#### **Project and Focus Group work**

In addition to our more traditional involvement methods, we also ensure we have representation from our involved people on project groups (including; high level scrutiny group, Envision project, Duty of Candour project, Tobacco Prevention Strategy Group, Professional Development Award). Our involved people are also part of our recruitment and assessment centre processes.

Further information on our Involvement Opportunities can be found on our website ([www.careinspectorate.com](http://www.careinspectorate.com)) or by contacting [getinvolved@careinspectorate.com](mailto:getinvolved@careinspectorate.com)

#### **Raising awareness of our equalities work**

It is important that our Board members and employees are aware of equality requirements and issues so that they can be considered in decision making and the delivery of our functions. As such, a range of equality information is made available on the Care Inspectorate website or provided directly to employees and Board Members. The following list highlights the main ways that information on equality issues is provided internally:

- Briefing Notes are provided for staff groups on particular issues, including on staff policies which affect people with protected characteristics
- Regular updates to employees via the Social Media Platform 'yammer'
- Articles on equality within the employee magazine Connect
- Information on national equality dates and commemorations are shared on our Intranet along with suggestions on how staff can get involved (e.g. LGBT History Month, Holocaust Memorial Day, International Women's Day.)



We also provide information on our equality work externally via the following mechanisms:

- Regular articles on equality within Care News
- A dedicated equality page on the Care Inspectorate website
- Involve newsletter
- The HUB website (resources, research materials etc) for professionals

***Equality Impact Assessments:***

New guidance was developed and approved in early 2016 to enable policy authors and managers to undertake effective equality impact assessments of new or significantly changing policies and practices. The guidance provides detailed information and a template to enable completion of effective equality impact assessments. The appendices provide answers to some frequently asked questions in relation to equality impact assessments and details of where you can find additional information and evidence that may support the assessment process.

We have around 15 completed equality impact assessments, using the new guidance and template, available for the public to access on the website.

***Equality and Diversity Training for Care Inspectorate Employees:***

All Care Inspectorate employees are required to undertake mandatory equality and diversity training. The current equality training is delivered in group settings and gives an overview of equality legislation, case studies and examples of good practice. The training also includes a group discussion exercise, which encourages participants to question their own biases, stereotypes and preconceptions of equality groups and issues.

Our corporate induction process was updated in 2015 to allow for a session on equality and diversity. This helps to ensure that all new staff are aware of our legal obligations and expectations of them in relation to equality. We also introduced an online training package to employees who were unable to take part in the training due to location or time constraints. All employees in the Care Inspectorate have now undertaken of equality and diversity training. In addition to the general equality & diversity training, we have also held some specific Mental Health Awareness sessions, LGBT awareness sessions and produced a Health & Safety Report in relation to this.

Employees are also encouraged to seek advice from the Involvement and Equalities Team on particular equality issues they may encounter.

**Reporting, Monitoring and Review**

We consider mainstreaming of equality to be a journey of continuous improvement. As such we will work with our colleagues in other organisations to identify and consider additional projects that will help mainstream equality.

Updates on progress will be published on the Care Inspectorate website and provided in alternative formats on request.

## Employee Information

This section provides a short summary on the make-up of our organisation in terms of the protected characteristics. Full details on other aspects required including gender pay gap and equal pay statement can be found at Appendix 2.

### How we collate Employment Information

We currently ask our employees to provide information on their equality protected characteristics via our online payroll system. All employees are asked to use this system to request annual leave, view pay slips and submit expenses where appropriate. All employees in the organisation have access to this system. The information is stored securely and can only be viewed by the individual to whom the information relates and by a small group of staff from the Organisational Development team. Statistical information is shared with the Involvement and Equalities Team.

We then produced a report based on the information that staff have provided on the payroll system to provide a snapshot of the organisation and its make-up as at January 2017. At this time there were 610 members of staff in the Care Inspectorate.

### Who are our employees?

Of the employees who provided information before 30 January 2017:

- 79% are female
- 74% are aged between 40-59 years
- 3% have a disability
- 42% are married or in a civil partnership
- 24% say they have no religion/belief

## Equality Outcomes 2017 - 2021

### Background

Outcomes are the changes that result for individuals, communities, organisations as a consequence of the action the organisation has taken. Outcomes can include short-term benefits such as changes in awareness, knowledge, skills and attitudes, and longer-term benefits such as changes in behaviours, decision making, or social and environmental conditions.

By focusing on outcomes rather than objectives, the Care Inspectorate aims to bring practical improvements in the life chances of those who may experience discrimination and disadvantage.

In 2013 we set out four Equality Outcomes for the period 2013 - 17. However when we consulted widely on our reporting duties in 2015, we received feedback suggesting that our outcomes could be more focussed, specific and achievable. We took this on board and published six new equalities outcomes in April 2015:

1. People from and across all protected characteristics can and do tell us about the care and social work services they experience and want.
2. Plans and policies developed by the Care Inspectorate are informed by the needs and issues identified by equality groups and people who use and provide care services.
3. Care Inspectorate services including offices and information can be accessed and utilised by people from and across the nine protected characteristics.
4. The care service providers we register and regulate demonstrate an awareness and understanding of equality issues for people using their care services.
5. There is an increased awareness of equality issues across the Care Inspectorate workforce and this awareness is used to enhance and improve our work with protected groups.
6. Our workforce is more representative of the diverse population of Scotland and employees from and across all protected characteristics feel valued and can maximise their potential to deliver an effective service.

We have held a similar consultation event in January 2017 and although we have had very positive feedback about the outcomes and progress on related actions, participants wanted a more streamlined approach to our outcomes with less duplication in 2017 - 21. The specific duties require us to review progress in meeting equality outcomes every two years. They also provide for public bodies deciding to develop new equality outcomes. Following our experience of implementing actions to meet the outcomes, together with research, feedback and consultation we have decided to reduce our equality outcomes to four new outcomes which are very specific in particular areas we would like to improve over the next two years. It is important to note that our equality outcomes are not the only things the Care Inspectorate will be doing to support equality, but show priority areas for improvement in the next two years.

### **Consultation and Engagement around new Outcomes**

We held a consultation event on Monday 3 January 2017 in Glasgow to look at our equality work, consider what we could do differently and take some advice around developing our action plan in the next two years. The event was well represented by equality organisations, equality professionals and people who use care services.

We will continue to meet with our Involved People and Equality Advisory Group regularly over the next two years to discuss equality issues, seek advice and update members on progress.

### **Equality Outcomes: Information and evidence base**

The duties require that we identify equality outcomes based on evidence. In addition to our experiences in progressing our equality actions over the past four years and what our consultation participants told us about their experiences of equalities, we carried out

extensive research on national and local equality information and statistics to develop our Equality Outcomes.

### **Our Equality Outcomes 2017-2021**

We have developed four Equality Outcomes based on evidence gathering, research, consultation and engagement. These are:

- 1. People from and across all protected characteristics find us accessible, have opportunities to get involved and influence our work by telling us about the care and social work services they experience and want in future.**
- 2. We work with the care service providers we register and regulate to improve awareness and understanding of equality issues for people using care services.**
- 3. Our workforce is well informed and engaged around equality issues and are representative of Scotland's diverse population.**
- 4. We will work in collaboration with external networks and equality organisations to promote awareness of equality issues in care and social work services and raise awareness in these areas.**

### **Reporting, Monitoring and Reviewing our Equality Outcomes**

We will publish a review of progress made in meeting our Equality Outcomes in April 2018 and again in line with our equality reporting responsibilities in April 2019. The Equality Implementation Group, supported by the Involvement and Equalities Team, will be responsible for driving progress on meeting our equality outcomes.

Updates on progress will be published on the Care Inspectorate website and can be provided in alternative formats on request.

### **Further information**

Further information in relation to equality and diversity within the Care Inspectorate can be found on our website [www.careinspectorate.com](http://www.careinspectorate.com). Information can also be obtained from our Involvement and Equalities Team by emailing [enquiries@careinspectorate.com](mailto:enquiries@careinspectorate.com) or calling 0345 6009527.

Equality Outcomes Action Plan 2017-2019

	Outcome	Action(s)	Timescale	Link to General Duty
1	<b>People from and across all protected characteristics find us accessible, have opportunities to get involved and influence our work by telling us about the care and social work services they experience and want in future.</b>	<p>Develop more links with community groups and equality organisations to provide information on our Inspection Volunteer programme and Involving People Group, and encourage wider and deeper involvement for a range of people.</p> <p>Further engage the Involving People Group in advising on key policies and plans</p> <p>Review the website, printed materials, and communication channels and consult with our stakeholders to ensure that all members of the community are able to access information.</p> <p>Develop a plan for equality briefing sessions at stakeholder events.</p> <p>Report annually on what people who use care services are telling us in relation to equality issues.</p>	<p>2017-19</p> <p>2017</p> <p>2018 – 19</p> <p>2017</p> <p>2018</p>	<p>Eliminate Discrimination</p> <p>Advance Equality of Opportunity</p> <p>Foster good relations</p>
2	<b>We work with the care service providers we register and regulate to improve awareness and understanding of equality issues for people using care services.</b>	<p>Use the HUB to develop regular briefings for care providers on equality issues as they arise and share with all services</p> <p>Consider how we can provide equalities improvement support to care services as part our overall improvement strategy for the care sector – signposting, inspection focus areas etc.</p> <p>Use quality conversations with large care service providers and umbrella bodies to highlight any areas of concern, discuss equality issues and feedback what people who use care services are telling us about their experiences.</p>	<p>2017</p> <p>2017-18</p> <p>2017-18</p>	<p>Eliminate Discrimination</p> <p>Advance Equality of Opportunity</p> <p>Foster good relations</p>

**Agenda item 16**  
**Appendix 2**

	<b>Outcome</b>	<b>Action(s)</b>	<b>Timescale</b>	<b>Link to General Duty</b>
		Develop proactive ways of engaging with care providers around equality issues for people using their services	2018	
	Our workforce is well informed and engaged around equality issues and are representative of Scotland's diverse population.	<p>Ensure that equality issues are fully considered and incorporated as part of our on-going review of Scrutiny and Improvement</p> <p>Identify training opportunities for staff in relation to particular equality issues and provide on a regular basis, as part of the agreed OD strategy. Plan for more specific and targeted equalities training on particular protected characteristics e.g. LGBT</p> <p>Develop internal protected characteristic support groups and other mechanisms with staff to allow specific focus and action in the organisation</p> <p>Promote equalities dates and commemorations to staff through internal communications channels</p> <p>Encourage staff from all areas of the organisation to get involved in strategic equalities project work e.g. LGBT Charter Champions Group and mainstreaming this in the organisation</p> <p>Ensure that equalities issues are linked into the OD strategy, with a blend of learning and awareness opportunities for staff and emphasis on the internal and external customer experience</p> <p>Develop active online discussion forums around equality issues.</p>	<p>2017-19</p> <p>2017-18</p> <p>2018</p> <p>2017</p> <p>2017</p> <p>2017-19</p> <p>2017</p>	<p>Eliminate Discrimination</p> <p>Advance Equality of Opportunity</p>

**Agenda item 16**  
**Appendix 2**

	<b>Outcome</b>	<b>Action(s)</b>	<b>Timescale</b>	<b>Link to General Duty</b>
		Develop an action plan to promote job opportunities to under-represented groups and ensure that the current review of recruitment takes into account equalities issues	2017-18	
4	<b>We will work in collaboration with external networks and equality organisations to promote awareness of equality issues in care and social work services and raise awareness in these areas.</b>	<p>Better link with community groups and organisations to provide information on the role of the Care Inspectorate and on how people can contact us</p> <p>Engage with equality organisations to consider how best to publish our equality information in accessible and engaging formats</p> <p>We will work with a wide variety of equality groups to raise awareness of key equality issues for people using care services, for example by working with LGBT Age to deliver awareness raising seminar on issues specific to LGBT older people.</p> <p>We will identify and work with disability organisations to develop information guides and training opportunities for staff, ensuring staff are confident about their improvement role around equalities in the workplace.</p> <p>We will identify and work with organisations who engage with particular community groups, including Scottish Gypsy/Travellers, to develop information guides for staff.</p> <p>Work with the SSSC to consider equalities issues in the care sector more widely</p> <p>We will undertake actions to meet the requirements of the LGBT Charter mark in conjunction with LGBT Youth Scotland</p>	<p>2017-19</p> <p>2017</p> <p>2017-19</p> <p>2017-18</p> <p>2018-19</p> <p>2017</p> <p>2017</p>	<p>Eliminate Discrimination</p> <p>Advance Equality of Opportunity</p> <p>Foster good relations</p>