



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

2019-2021

INTRODUCTION AND BACKGROUND

This report sets out our agreed Equality Outcomes for 2017 – 2021, our renewed commitment to meeting our equality obligations and an updated action plan for the next two years, 2019-21. It explains how we continue to progress our approach to mainstreaming equality throughout the organisation as required by the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. We believe that demonstrating our actions is more important than words in terms of meeting our equality duties, so this is an overarching report for the following;

- Equality Outcomes and Action Plan review 2017-19 which sets out the progress we have made in meeting our equality action plan in the past two years
- Care Inspectorate employment monitoring information including gender pay reporting and a breakdown of our workforce by protected characteristic.

About the Care Inspectorate

We believe that people in Scotland should experience a better quality of life as a result of accessible, excellent services that are designed and delivered to reflect their individual needs and promote their rights. We are the scrutiny and improvement support body for social care and social work in Scotland. This means we regulate, inspect and support improvement in care services across Scotland focusing on positive outcomes for people which help them to live life well. We use the health and social care standards to help us inspect, drive improvement, promote flexibility and encourage innovation in how people are cared for and supported.

Our work stretches across areas such as integrated health and social care, social care that is not integrated, social work, public protection, early learning and childcare, criminal justice social work, youth justice, community justice, and public service reform. We work across all 32 local authorities, and all health and social care partnerships, community planning partnerships, and community justice partners in Scotland.

We register around 14,000 care and support services used by people of all ages. We check to ensure they reach high standards and support them to improve where necessary. Last year we carried out around 7000 inspections of care services. These included care homes for older people, adults and children; care at home services; child minders, children's nurseries and housing support. We also carried out some large-scale inspections of strategic provision in local areas. We registered almost 1,000 new care services, and we investigated over 500 complaints about care.

Our values underpin how we work together with people and communities to achieve common goals, how we influence others and how we interact with our colleagues and customers:

Person-centred – we will put people at the heart of everything we do.

Fairness – we will act fairly, be transparent and treat people equally.

Respect – we will be respectful in all that we do.

Integrity– we will be impartial and act to improve care for the people of Scotland.

Efficiency– we will provide the best possible quality and public value from our work.

All of our values take equality and human rights issues into account and through the implementation of our Corporate Plan, we will continue to ensure that equality and diversity issues are given priority and mainstreamed across the organisation. In this report, we outline examples of how we are and will continue to actively mainstream and improve our work in equalities in the organisation:

MAINSTREAMING EQUALITY IN THE CARE INSPECTORATE

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.

Mainstreaming equality in the Care Inspectorate

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 at www.equalityhumanright.com

Mainstreaming the equality duty in our organisation has a number of benefits including:

- Equality becomes part of the structures, behaviours and culture
- We are informed and can demonstrate how, in carrying out our functions, we are mindful of equality issues
- Mainstreaming equality and its impact contributes to continuous improvement and better performance.

Our other duties

Along with the responsibilities under the public sector equality duty, we also have other duties which work in parallel and complement each other:

- **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.

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
- Online training modules are used to train and raise awareness to all employees on equality and diversity issues and regulations.
- Regular updates to employees via the Social Media Platform ‘yammer’
- Articles on equality within the employee intranet “People Like Us”
- 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 (now updated as an online monthly e-newsletter)
- A dedicated equality page on the Care Inspectorate website
- Involve newsletter for people experiencing care
- The HUB website (resources, research materials etc) for professionals

There are also a variety of policies in place to support all employees which are accessible in a variety of formats and available on our intranet which highlight a variety of equality issues including but not limited to dignity at work, flexible working, homeworking, career break, equal pay policy statement, fostering leave, ordinary parental leave, carers leave, maternity leave, shared parental leave, maximising attendance and menopause.

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 experience care many of whom live with disabilities. 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 actions that we are progressing. We use a range of different involvement activities, both externally and internally, to get as many people from different protected characteristic groups involved in the work we do. These include:

Internally:

LGBT Charter group
Our LGBT equality working group get together on a quarterly basis to work towards achieving the LGBT Charter accreditations. Having achieved foundation level in January 2018, they are now working towards Bronze level. The group also lead on representing the organisation at annual PRIDE events all over Scotland as well as other LGBT conferences and training.
Interfaith Group
As group of employees started the interfaith group for all based upon their

own religious beliefs. This group is for people of any faith to get together and share experiences and learning. After a small amount of funding from the organisation to get started, the group is self organised and works from our Edinburgh office.
Culture rep group
We have around 20 self nominated culture reps from a variety of backgrounds, disciplines and locations throughout Scotland. All of our culture reps feel strongly about working towards and empowering culture and making our organisation the best organisation it can be in terms of culture.
Corporate Parenting group
Our Corporate Parenting Group considers the practical implementation of our legal responsibilities in this area. As well as employees, two of our young inspection volunteer are full members of this group.

Externally:

Inspection Volunteers
We currently have around 70 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.
Young Inspection Volunteers
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.
Involving People Group
Members of this group are made up of people who experience care services. They meet quarterly 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 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) or by contacting getinvolved@careinspectorate.com

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 do this through the activities outlined above, one off equality events and online surveys.

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.

Through working groups such as the LGBT Charter Group, we regularly participate in LGBT Pride Events throughout Scotland. We engage with hundreds of members of the public at the events, promoting our Inspection Volunteer scheme and providing additional information on our services. Our leaflets are published in a variety of formats, catering to a variety of audiences over specific protected characteristic groups.

Equality Impact Assessments (EIA):

Our EIA tool and guidance was developed and approved 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.

All of our completed equality impact assessments are available to view on our website at www.careinspectorate.com

Equality and Diversity Training for Care Inspectorate Employees:

All Care Inspectorate employees are required to undertake equality and diversity training as part of their induction. The current equality training is delivered as an online learning package and gives an overview of equality legislation, raises awareness, promotion of inclusion, case studies and examples of good practice. In addition, our corporate induction process was updated in 2018 which continues to have a dedicated session on equality and diversity. We also include an equality session within our inspection volunteer training programme. As well as this, we hold optional bitesize equality sessions for staff e.g. LGBT awareness sessions.

Protected Characteristics

The Equality Act 2010 introduced nine protected characteristics outlined below.

Protected Characteristic	Definition
Age	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).
Disability	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.”
Gender Reassignment	The process of transitioning from one gender to another.
Marriage and Civil Partnership	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).
Pregnancy and Maternity	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.
Race	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.
Religion and Belief	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.
Sex	A man or a woman.
Sexual Orientation	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.

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 are published annually 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 in our full employee monitoring report on our website.

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. Perspective employees are also asked to fill in an equal opportunity form upon application for a position with us. 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 2019. Currently there are 608 members of staff in the Care Inspectorate.

Of the employees who provided information before 31st January 2019:

- 79.6% are female
- 75.5% are aged between 45-64 years
- 2.8% have a disability
- 38.3% are married or in a civil partnership
- 23% say they have no religion/belief

Equality Outcomes 2017 – 2021

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.

Agenda item 16 Appendix 2

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. We complete our equality outcomes every four years to allow progress to be embedded within our culture

We have held a large consultation exercise in January 2017 which led to new outcomes being introduced with a streamlined approach for 2017-21. Over the past two years, we have progressed our action plan and are aware of what we need to focus on to achieve our set outcomes by 2021. 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.

We will continue to meet with people who are involved with us, external equality organisations and employees over the next two years to discuss equality issues, seek advice and update members on progress. Towards the end of the outcomes deadline in April 2021, we will review our journey and put outcomes and actions in place for 2021-2025.

Our Equality Outcomes 2017-2021

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

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| 1. People from and across all protected characteristics find us accessible, and 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. Care providers have an improved awareness and understanding of equality issues for people using care services because of our work to highlight these issues. |
| 3. Our workforce is well informed, engaged around equality issues and reflect Scotland's diverse population. |
| 4. We promote awareness of equality issues in care and social work services and raise awareness in these areas in collaboration with external networks and equality organisations. |

Reporting, Monitoring and Reviewing our Equality Outcomes

We will continue to publish an annual review of progress in meeting our Equality Outcomes and hold a full scale consultation exercise in 2020 to inform new outcomes for the four year period from 2021-25.

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. Information can also be obtained from our Involvement and Equalities Team by emailing enquiries@careinspectorate.com or calling 0345 6009527

Equality Outcomes Action Plan 2019-2021

<p>Outcome 1 People from 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 in the future.</p>
<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>Uphold our existing relationships with equality organisations and expand further to encompass other protected characteristic and minority groups.</p>
<p>Ensure our new approach to collecting views from people experiencing care is built into digital systems and accessible for people with all protected characteristics.</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>Continue and expand the use the Short Observational Framework for Inspectors as part of our scrutiny work, which supports inspectors to consider the perspectives of people with limited communication abilities.</p>
<p>Review policies for: dignity at work, flexible working, homeworking, careers breaks, equal pay statement, equality & diversity, fostering leave, ordinary parental leave, carers leave, maternity leave, shared parental leave, attendance & absenteeism and the menopause.</p>

<p>Outcome 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.</p>
<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 – including signposting, information sharing, and other approaches.</p>
<p>Use quality conversations and other proactive ways of engaging with care providers to highlight any areas of concern, discuss equality issues and feedback what people who use care services are telling us about their experiences.</p>

Outcome 3

Our workforce is well informed and engaged around equality issues and are representative of Scotland's diverse population.

Ensure that equality issues are fully considered and incorporated as part of our on-going review of Scrutiny and Improvement.

Ensure that equalities issues are linked into overarching OD strategy e.g. cultural change; workforce planning, with a blend of learning and awareness opportunities for staff and emphasis on the internal and external customer experience.

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. Disability awareness. LGBT issues.

Progress actions within the BSL plan and work internally to raise awareness of our responsibilities regarding BSL with all colleagues.

Develop internal protected characteristic support groups and promote other equality initiatives to make staff aware and engaged in our equality agenda.

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.

Outcome 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.

Establish stronger links with community groups and organisations to provide information on the role of the Care Inspectorate and on how people can contact us.

We will identify and work with external equality organisations and networks where appropriate to develop information guides and training opportunities for staff, ensuring staff are confident about their improvement role around equalities in the workplace.

Develop our partnership with the SSSC to consider equalities issues in the care sector more widely and undertake a scoping exercise on a joint equality network.

We will undertake actions to meet the requirements of the LGBT Charter mark in conjunction with LGBT Youth Scotland .