



# Orkney Islands Council

## Equality Outcomes 2013 – 2017

All our written information can be made available, on request, in a range of different formats and languages. If you would like this document in any other language or format please contact Marie Love, Policy Officer (Equalities) on 01856 873535 or email [marie.love@orkney.gov.uk](mailto:marie.love@orkney.gov.uk)

## **Introduction**

Orkney Islands Council is committed to promoting equality, which means recognising that everyone has different needs and taking positive action to ensure that we are all able to participate in society. We want Orkney to be a community where we all have the opportunity to fulfil our potential.

All public authorities now have a legal requirement to produce and publish a set of equality outcomes by 30 April 2013. These are the results we aim to achieve in promoting equality, tackling discrimination and fostering good relations. The equality outcomes will apply to people with the protected characteristics which are listed in the legal background.

The proposed outcomes do not encompass the work we already do to reduce inequality and ensure fairness. They have been developed in addition to this based on a range of sources of evidence that suggest that if we also focus our efforts on these areas we can achieve real changes in people's lives.

## **Legal background**

The Equality Act 2010 introduced a single equality duty covering the nine protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The single equality duty is in two parts. The general duty came into effect from April 2011 and requires public authorities to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. The purpose of the general duty is to ensure that the Council proactively considers equality when carrying out its work.

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 came into force in May 2012. The specific duties provide a framework to help public authorities meet their general duty. One of the requirements of the Regulations is that public authorities produce and publish a set of equality outcomes by 30 April 2013.

Local authorities and education authorities are listed separately in the Regulations. For that reason each equality outcome shows whether it applies to the Council, to Education or whether it is an overall outcome which applies to both.

## **Outcomes**

Equality outcomes are objectives we aim to achieve in order to progress the requirements of our general equality duty. They are not what we do, but the changes or effects resulting from what we do. These changes may be for individuals, groups, families, organisations or communities.

We have developed eight outcomes and these are listed from page 4. We have shown which protected characteristic each outcome applies to, which aspects of our general duty it will help us to meet and who was involved in its development. We

have also included the output (what we will do) and the evidence which led us to set the outcome.

Because outcomes should be prepared based on the principles of proportionality and relevance some have been set in respect of all the protected characteristics rather than being limited to the specific characteristic the evidence related to.

## **Involvement and Consultation**

As required by the legislation we involved as many people as possible with a protected characteristic, or their representatives, in the development of the outcomes. We used information and evidence which had been brought to our attention from a range of sources and, in addition to that, contacted a number of organisations, groups and individuals and invited them to provide input into the development of our outcomes. The involvement is detailed in each equality outcome.

You will see that Orkney Equality Forum was involved in each equality outcome. The Forum is one of the thematic groups of Orkney's Community Planning Partnership; it is an active group with a wide and diverse membership and meets regularly. The Forum is proactive in seeking the views of the equality and diversity communities in Orkney on a wide range of topics and provides opportunities for people and groups to provide input through its membership; in a small community some members of particular equality and diversity communities would prefer to remain anonymous.

We carried out a consultation on our proposed outcomes over a six week period from 28 January until 10 March 2013. The consultation document was made available as follows:

- Electronically on the Council website
- Paper copies were available from the Council's Customer Services in Kirkwall, the Stromness Cash Office and the Kirkwall and Stromness libraries
- To the wider community and all employees through a press release
- To elected members with a briefing note
- To partner organisations
- To Orkney Equality Forum
- To Orkney Community Planning Partnership
- To the Access Panel Orkney
- To Orkney Faith Group
- To Orkney Minds
- To the Language Link
- To the ESOL students at Orkney College
- To the Equality Network
- To Stonewall
- To interested individuals upon request

The consultation document was also made available in any other format or language, upon request.

Only a small number of comments received and these were very positive. This perhaps reflects the extensive involvement process undertaken to compile the proposed outcomes and consultation document.

### **Achieving our outcomes**

We will publish a report on progress we have made to achieve these equality outcomes no later than 30 April 2015.

### **Contact**

If you want to get in touch with us about our equality outcomes or any other equality matters please contact:

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## **Equality Outcome 1 (Council Outcome)**

More young, disabled and long term unemployed people are in work and training.

### **Protected Characteristic**

Age

Disability

### **General Duty**

Advance equality of opportunity

### **Output**

As a socially responsible employer we will lead by example, providing work experience, modern apprenticeships and graduate placements for Orkney's youth and long term unemployed people by taking the following action:

1. Setting the following minimum annual targets for youth employment opportunities within the Council for the period 2013-15:
  - 12 Work experience placements
  - 4 Modern apprenticeships
  - 4 Graduate traineeships
2. Offering a range of work experience opportunities to people facing barriers to employment, who fall outwith the group referred to at 1 above. Executive Directors to provide evidence of opportunities offered.

### **Involvement**

- Orkney Community Planning Partnership's Employability Short Term Working Group and Employability Strategic Group
- Orkney Equality Forum
- Jobcentre Plus
- Elected members and officers of Orkney Islands Council (OIC) during development of Council Plan
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC

### **Evidence**

The Supported Employment Framework main report published by the Scottish Government in 2010 states that, 'Not being in work is associated with poorer physical and mental health and wellbeing. It is recognised that work can be therapeutic and that overall the beneficial effects of work outweigh the risks of work for the majority of people.'

The report further advises that, with the aggregate employment rate of less than 50% for disabled people compared to an overall employment rate of just fewer than 76% for the general population, it is clear that not all disabled people are getting access to job opportunities. With an economic downturn and an increasingly tight labour market, it is likely that disabled people will be affected adversely in the labour

market... 'Disabled people need the support of agencies more than ever before and given that there is a commitment to joint working this is an opportunity that must not and cannot be wasted. Only when we are able to view people for their ability can we begin to fully realise the overall purpose of sustainable economic growth, where all of Scotland's people are able to flourish and realise their potential.'

According to How Fair is Britain, published by the Equality and Human Rights Commission in 2012, only 50% of disabled people are likely to be in work compared to 80% of non-disabled adults. The report goes on to say that many people with a disability work in the public sector where cuts are being experienced.

The Office of National Statistics confirm that nearly a fifth of 16-64 year olds have a disability in the UK (18%). Unfinished Business: Barriers and Opportunities for Older Workers, a Study by the Resolution Foundation published in August 2012 found that joblessness among older people in the UK has soared by 53% since the onset of the financial crisis in 2008 and that the UK is lagging behind countries of similar wealth in getting people over the age of 50 into work. One of the barriers identified by the study is the lack of employment support to move back into work, including training.

Information from Kirkwall Jobcentre Plus is that since April 2012 the jointly funded employment support worker has engaged with over 91 employers, 58 of whom offered work experience placements and 8 offered paid opportunities. They received 40 referrals from partner agencies which resulted in 31 work experience placements and 16 paid employment opportunities. Approximately half of those they have worked with are currently employed.

There were 61 individuals in the 16-24 age group who claimed Jobseeker Allowance. Of these, 19 were also recorded as people with a health condition which affects the kind of work they can do. In addition to this figure there are also 16-24 year olds who are employment and support allowance claimants. They are not Jobseekers but, depending on their incapacity, some of them are identified as having to 'take steps towards work' and are categorised within the Work Related Act Group. This group comprises 10 individuals. (All figures reflect the position on 26.10.12.)

'These are Our Bairns: a guide for community planning partnerships on being a good corporate parent' published by the Scottish Government in 2008 states that, 'Councils are often the largest employer in a local area with a wider range of jobs than any other organisation in either the public or the private sector. Councils should be able to offer Looked After children and young people and care leavers support into employment, whether this be in terms of work experience or building capacity such as preparing job applications or interview skills. It could also be through reserving a number of apprenticeships or training placements for their care leavers, sometimes referred to as "the family firm" concept. This is not to suggest preferential treatment, but rather to fully utilise the potential to expose young people who are Looked After to the range of employment options which are available to them and the skills they need to take them up.'

## **Equality Outcome 2 (Overall Outcome)**

Ensure there are no barriers in recruitment, training or promotion opportunities.

### **Protected Characteristic**

All\*

### **General Duty**

Eliminate unlawful discrimination, harassment and victimisation  
Advance equality of opportunity

### **Output**

We will develop a clear understanding of our local population breakdown and will seek to collect data by protected characteristic from 100% of our employees by 2016 to ensure there are no barriers in recruitment, training or promotion with a target response rate of 80%.

### **Involvement**

- Black Leadership Network of Scotland
- Orkney Equality Forum
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC

### **Evidence**

The Black Leadership Network, with the support of a range of national race equality organisations, wrote to all Chief Executives in June 2012 asking that we set an outcome to develop a clear understanding of our local population breakdown and will have collected data by ethnicity on 80% of our employees by 2015 rising to 100% by 2017. They state that while this relates to 'race' it could easily be extended to other protected characteristics. They strongly believe that unless organisations get the basics of access to appropriate employment of a representative workforce right, Scotland will neither be able to address the historical disadvantage nor make the progress on equality that it needs to. It would appear fair and logical to extend this outcome to all protected characteristics as it would help us ensure there are no barriers relating to any of the protected characteristics. It is not proposed that a target of data collection of 100% is set; this is not achievable because employees and potential employees have the right to refuse to provide this information and there will always be those that exercise this right.

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\* 'All' signifies that all of the following protected characteristics are specifically addressed as part of the stated outcome: age, disability, gender reassignment, marriage and civil partnership status, race, pregnancy and maternity status, sex, sexual orientation and religion or belief. However, in some instances the Council may be unable to report on outcome progress for certain protected characteristics due to limitations in the monitoring and information available.

### **Equality Outcome 3 (Overall Outcome)**

Ensure terms of employment and Human Resource policies and procedures are applied fairly and consistently and in ways that promote equal opportunities and do not disadvantage employees.

#### **Protected Characteristic**

All

#### **General Duty**

Eliminate unlawful discrimination, harassment and victimisation  
Advance equality of opportunity

#### **Output**

Monitor and ensure that Council conditions of service and Human Resources policies and procedures, including recruitment, learning and development, disciplinary, grievance, management of poor work performance and dignity at work are applied fairly and consistently and in a way that promotes equal opportunities and does not disadvantage employees on the basis of the nine protected characteristics. A minimum of five policy documents will be monitored annually.

#### **Involvement**

- Orkney Equality Forum
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC

#### **Evidence**

It is not suggested that policies etc are not currently being applied fairly, but as stated at Outcome 2 there is a lack of equality data on our local population and employees and this is a proactive preventative measure to ensure that we are being fair and consistent and no groups are being disadvantaged.



## **Equality Outcome 4 (Overall Outcome)**

Ensure a skilled workforce and training in Orkney to optimise opportunities in the Renewables Sector.

### **Protected Characteristic**

Sex

### **General Duty**

Advance equality of opportunity

### **Output**

We will support links to education by exploring ways to ensure renewables training links with schools, colleges and investors based in Orkney. We will develop a strategy before 2014 to ensure all partners contribute to the wider training of renewables sector opportunities before 2014.

### **Involvement**

- Orkney Equality Forum
- Elected members and officers of OIC during development of Council Plan
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- Executive Director of Development and Infrastructure, OIC
- Executive Director of Education, Leisure and Housing, OIC
- HR and Performance, OIC

### **Evidence**

These proposals feature in Orkney Islands Council: Our Plan 2013-2018. Low Carbon Orkney – Renewables, Energy and Opportunity, specifically 7. Ensuring a skilled workforce and training in Orkney to optimise opportunities in the Renewables Sector. Some of the activity in this target area aims to explore ways of linking renewables training through schools, colleges and investors based in Orkney.

Developing Renewables opportunities and exposure to the range of potential career options in the sector will benefit all, but may have a heightened impact on women who hadn't considered a science and engineering based career path. The Chair of the Commission on Workforce Issues said, at a Women's Employment Summit held on 12 September 2012, that although women are employed across a diverse range of jobs the leaky pipeline in the STEM (Science, Technology, Engineering and Mathematics) industries persists. While young women may break gender stereotype moulds as they enter the labour market any positive trends appear to be reversing given that the current patterns of participation in Modern Apprenticeships across Scotland display obvious gender based occupational segregation.

Lack of career opportunity has been cited as being a reason for leavers, in particular women, not to return to Orkney. According to the Orkney Population Change Study published by Hall Aitken in 2009, 'Those that leave the islands and remain away are more likely to be motivated by employment progression. Twice as many identified opportunities for career progress as a reason for leaving. And twice as many female leavers as male leavers rule out returning, reflecting the perception

of limited job opportunities on Orkney. For those who consider returning, jobs and career progression are the most common barriers.'

There are a wide range of statistics which show the low take up of science, engineering, technology and math subjects and careers by girls. According to the Times Educational Supplement Report: STEM – Minority Report (20 May 2012), 'Girls fall off the science and engineering career path at every stage of the route from school to work.' 'Tapping our Talents', published by The Royal Society of Edinburgh in April 2012, states that science, engineering and technology are vital to Scotland's future. However 73% of woman graduates are lost from STEM compared to 48% of male graduates.

## **Equality Outcome 5 (Overall Outcome)**

Greater sensitivity by employees to the diversity of service users and colleagues and to equality issues.

### **Protected Characteristic**

All

### **General Duty**

Eliminate unlawful discrimination, harassment and victimisation  
Foster good relations

### **Output**

1. Raise awareness by making training (face-to-face or i-Learning) available to all employees and mandatory for new employees. Refresher training should be mandatory every three years. (Overall output)
2. Review all local registrar policies and procedures to ensure that reference to Civil Partnerships features similarly to references to Marriage. (Council output)

### **Involvement**

- Cabinet Secretary for Justice
- Equality Network (works for lesbian, gay, bisexual and transgender [LGBT] equality and human rights in Scotland)
- Orkney Equality Forum
- Orkney Faith Group
- Kirkwall Council of Churches
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC
- Head of Health and Community Care, OIC

### **Evidence**

Whilst some progress has been made in recent years in relation to the promotion of equality across a wide range of sectors of Scottish society, discriminatory attitudes have not reduced consistently according to the Scottish Social Attitudes Survey 2010: Attitudes to Discrimination and Positive Action, published by the Scottish Government in 2011.

The results of Orkney Equality Forum's Survey 'Attitudes to Discrimination and Positive Action' carried out in 2012 were similar in that they did not make entirely positive reading. While 68.7% of people felt Orkney should do everything it could to get rid of all kinds of prejudice, 31.3% thought there was sometimes good reason to be prejudiced. The report makes it clear that, while the majority of people do not hold discriminatory views and are increasingly accepting of diversity, there are still groups in society who experience discrimination and intolerance.

The Equality Network advises that they believe there are a small number of people living in Orkney who have been through the gender reassignment process. According to 'Potential areas of concern between local authorities and the

Transsexual/ Transgender community' published by Nicola James and Allana Strain in 2012 gender identity issues include conflict in families and losing contact with family and friends. Receiving health and social care can be problematic. Almost 35% of Trans people have attempted suicide at least once.

The much smaller numbers entering into civil partnerships in Orkney (in 2011 there was one civil partnership compared to 244 marriages) mean that staff encounter service users who have entered into a civil partnership much less frequently than service users who are married. Training for staff should include information on the need for staff to be aware of the possible existence of civil partnership; sometimes undisclosed. Staff are already aware of the need to respect the legal rights of spouses, especially when important decisions are being made which may involve ill service users or end of life issues. However, it might be less obvious that a civil partnership exists.

The Cabinet Secretary for Justice wrote to all local authorities on 31.10.12 asking that awareness be raised in respect of religious articles of faith. This followed on from a meeting which he had had with members of the Sikh community in Glasgow where concern had been raised in relation to how physical religious articles of faith are treated within society. During this meeting it was brought to his attention that more general awareness, for example employers understanding the importance of the wearing of articles of faith and the sensitivity required was not always at the appropriate level. The results of Orkney Equality Forum's Survey 'Attitudes to Discrimination and Positive Action' showed that almost a quarter of the people who responded did not understand that a turban is a requirement of faith and not a matter of personal choice.

## **Equality Outcome 6 (Council Outcome)**

Improve access to the democratic process.

### **Protected Characteristic**

Disability

Age

### **General Duty**

Advance equality of opportunity

Eliminate unlawful discrimination, harassment and victimisation

### **Output**

Carry out a review of polling stations and postal voting arrangements to assess suitability and accessibility of the current polling stations and take action prior to the Referendum on Scottish Independence in October 2014.

### **Involvement**

- Orkney Equality Forum
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC
- Head of IT and Support Services, OIC
- Elections Manager, OIC

### **Evidence**

All local authorities are under a duty to review their UK Parliamentary polling districts and polling places at least once every four years. The Council completed a review of polling places in 2011 and a number of changes were made for the election held in May. As a result of feedback and other issues that have emerged, such as questions regarding lower turnout, there is a need to undertake a further review to ensure there are no barriers for people exercising their democratic right to vote. This will include assessing views on the suitability and accessibility of the current polling stations, for example whether voters found getting into the building difficult or parking was a problem on polling day.

In the Local Government election in May 2012 the turnout was 50.8% compared to 55.9% in 2007.

In the Scottish Parliamentary election in 2011 the turnout was 49.9% compared to 55.19% in 2007.

Source: Elections Manager

## **Equality Outcome 7 (Overall Outcome)**

An increased proportion of Council communication adheres to the Principles of Inclusive Communication good practice standards.

### **Protected Characteristic**

All

### **General Duty**

Eliminate unlawful discrimination, harassment and victimisation  
Advance equality of opportunity

### **Output**

Take a consistent approach across the Council to more inclusive communication and work towards the Principles of Inclusive Communication published by the Scottish Government in 2011 through training and awareness raising. The Principles are as follows:

- Communication accessibility and physical accessibility are equally important
- Every community or group will include people with different communication support needs
- Communication is a two-way process of understanding others and expressing yourself
- Be flexible in the way your service is provided
- Effective user involvement will include the participation of people with different communication support needs
- Keep trying

The full document is available at the following link:

<http://www.gov.scot/Publications/2011/09/14082209/17>

Executive Directors to evidence their actions to meet these principles.

### **Involvement**

- Orkney Equality Forum
- Senior Management Team, OIC
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC
- Head of IT and Support Services, OIC
- Communications Team, OIC

### **Evidence**

Anecdotal evidence would suggest there is currently a lack of consistency.

## **Equality Outcome 8 (Education Outcome)**

Ensure there are no barriers to pupils for opportunities within education.

### **Protected Characteristic**

Age

Sex

### **General Duty**

Eliminate unlawful discrimination, harassment and victimisation

Advance equality of opportunity

### **Output**

Identify any under-representation on specific courses and, where possible, increase the number of people accessing the courses from groups who have previously been under-represented thus far ensuring that pupils will have equal opportunities to develop personal ambitions, interests and talents.

### **Involvement**

- Orkney Equality Forum
- Executive Director of Corporate Services, OIC
- HR and Performance, OIC
- Head of Schools, OIC

### **Evidence**

It is not suggested that there are currently barriers; this is a proactive preventative measure to ensure that we are being fair and consistent and no groups are being disadvantaged.