



REPORT TO: CORPORATE COMMITTEE ON 30 NOVEMBER 2021

SUBJECT: EQUALITY OUTCOMES

BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND ORGANISATIONAL DEVELOPMENT)

1. REASON FOR REPORT

- 1.1 The Committee is asked to approve the publication of the Equality Outcomes Progress Report 2017-2021, the Mainstreaming Report 2021 and the Equality Outcomes for 2021-2025.
- 1.2 This report is submitted to Committee in terms of Section III (C) (41) of the Council's Scheme of Administration relating to the review of Council wide policy and objective in relation to cross cutting issues which do not fall within the remit of service committees such as equalities.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee approve the publication of the Equality Outcomes Progress Report 2017-2021, Mainstreaming Report 2021 and the Equality Outcomes for 2021-2025.**

3. BACKGROUND

- 3.1 Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 Moray Council must publish its equality outcomes once every 4 years. The duty applies to the entire Council as well as to the Education Authority and Moray Licensing Board. Previous equality outcomes were published in 2013 and 2017. Draft outcomes for 2021 were published with the caveat that they were subject to council approval.
- 3.2 The general equality duty requires public authorities, in the exercise of their functions, to have due regard to the need to: eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010; advance equality of opportunity between people who share a relevant protected characteristic and those who do not, and foster good relations between people who share a protected characteristic and those who do not.
- 3.3 The relevant protected characteristics are: age, race, disability, sex, pregnancy and maternity, sexual orientation, religion and/or belief, gender reassignment. The protected characteristic of marriage and civil partnership is relevant only in relation to employment.

- 3.4 The specific duties are separate from the Fairer Scotland Duty (sometimes referred to as socio-economic duty). Outcomes related to socio-economic differences are therefore not included in the equality outcomes, unless there is a strong link with a protected characteristic, for example the gender and ethnicity pay gaps.
- 3.5 The purpose of the equality outcomes is to assist the Council in meeting its general equality duty. The report (**Appendices 1 and 2**) gives an overview of progress against previous equality outcomes and proposes new outcomes for the next 4 years. It gives an overview of the relevance of each outcome to the various protected characteristics. It is proposed that progress on the outcomes will be incorporated in the performance reporting cycle. These reports will replace the biennial progress reports.
- 3.6 Draft Equality Outcomes were discussed at the Leadership Forum on 14 September 2021 with the following additional themes identified. Although all currently feature within existing Service Planning arrangements, further work will be undertaken within the Equality and Diversity Corporate Advisory Forum to define the specific actions relating to protected groupings to add them as new outcomes.
- Poverty
 - Climate change
 - Digital services
 - Accessible travel
- 3.7 The mainstreaming report (**Appendix 3**) gives an overview of the extent to which equal opportunities have been mainstreamed in the council's day-to-day business, a calculation of the gender pay gap within the workforce of the council and the gender pay gap within Moray's education authority. It is proposed that future mainstreaming reports will include the ethnicity pay gap and disability pay gap, insofar as it is possible to calculate this given the high level of non-response to equality questionnaires.
- 3.8 Equality Impact Assessments are an important tool in meeting the general public sector equality duties. In Scotland there is also a specific duty: *where and to the extent required to fulfil the general equality duty, assess the impact of applying a proposed new or revised policy or practice against the needs of the general equality duty*. For this reason a considerable section in the mainstreaming report is about Moray Council's practice of carrying out equality impact assessments.
- 3.9 The Equality and Human Rights Commission's guidance recognises that equality outcomes reflect a dynamic reality and it is perfectly acceptable to change them in the course of the 4-year cycle, provided this is based on evidence and/or consultation with affected groups.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

The outcomes are aligned with the Corporate Plan outcomes in relation to - Our people: Provide opportunities for people to the best they can be throughout their lives with a strong and sustained focus on those individuals and groups in our society who experience the most disadvantage and discrimination, and Our future: Drive development to create a vibrant economy of the future.

(b) Policy and Legal

Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 Moray Council must publish its equality outcomes once every 4 years. The outcomes are aimed at assisting the council with meeting its obligations under the general public sector equality duty as defined in section 149 of the Equality Act 2010.

(c) Financial implications

There are no financial implications arising from this report.

(d) Risk Implications

There are no risks arising from this report.

(e) Staffing Implications

Actions arising from this report will be carried out by existing staff.

(f) Property

Reasonable adjustments to council property are considered on a case-by-case basis.

(g) Equalities/Socio Economic Impact

The specific duty applies only to the protected characteristics of age, sex, pregnancy and maternity, race, disability, religion and/or belief, sexual orientation and gender reassignment. It does not apply to socio-economic inequalities.

(h) Consultations

The Acting Quality Improvement Officer for Education, Traffic Engineer, Senior HR Advisor, Community Justice Co-ordinator, Property Resources Manager, Strategy and Performance Manager and the Head of Legal and Democratic Services have been consulted on this report. A leadership forum was held on 14 September 2021 which was attended by senior managers from all council services and their feedback has been incorporated into the equality outcomes.

5. CONCLUSION

5.1 The Committee is asked to approve the publication of the Equality Outcomes Progress Report 2017-2021, Mainstreaming Report 2021 and the Equality Outcomes for 2021-2025.

Author of Report:

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Background Papers:

Ref:

SPMAN-2045703626-118 / SPMAN-2045703626-119 /
SPMAN-2045703626-121 / SPMAN-2045703626-120