

CORPORATE REPORT

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Report on Specific Duties under the Public Sector Equality Duty

This is our second report under the specific duties outlined in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. It focuses on the two elements of the duties that the Mental Welfare Commission is required to report on by 30 April 2015; mainstreaming and equality outcomes.

1 Duty to report on mainstreaming the equality duty

The following is an annual breakdown of Commission employee information which is taken from our latest biennial staff survey, completed in January 2015. 34 (67%) staff members completed the equal opportunities monitoring form, which was a significant reduction in comparison to the completion rate in 2013 (when 48 (87%) members of staff completed this form). The numbers for the previous report in 2013 are in brackets. Where the totals below do not equal **34**, this is due to staff declining to answer or selecting the 'rather not say' option.

Gender	Male	15 (15)
	Female	19(31)
Age	The mean average age is 49 (47) with over half of the respondents aged over 50.	
Sexual orientation	Heterosexual	30 (39)
	LGB	2 (6)
Disability	No member of staff declared themselves to have a disability	
Nationality	British	16 (26)
	Scottish	14 (10)
	Scottish/British	0 (3)
	Other	1 (2)
Ethnic origin	White Scottish	23 (32)
	White English	4 (8)
	White other	1 (4)
	Mixed White	2 (2)
Faith, religion, belief	No religion	16 (22)
	Christian	8 (15)
	Other	4 (5)

Details of the progress we have made in using this information to enable the organisation to better perform the general duty:

- The flexible working policy was reviewed and no major changes were required.
- Recruitment processes were reviewed each time we recruited during this period to ensure no de facto discrimination occurred which would limit the pool of prospective candidates. The recruitment policy and processes are currently under review.

2. Duty to publish equality outcomes and report progress

We published our single equality scheme in January 2015, which sets out our progress over the previous three years and outlines an updated set of equality outcomes. An update on progress is reported annually to the Commission's Operational Management Group.

The outcomes, and the work the Commission has done in each of them, are outlined below.

Our visit and investigation work will always be carried out taking equalities issues into account and therefore ensuring we fulfil our public duties to tackle discrimination and promote equality of opportunity

- We ask staff to identify those whose first language is not English on local visits and we will always visit at least one person which this applies to.
- We complete an ethnicity monitoring form on all visits.
- We added a question to visit forms on whether individuals feel they have been discriminated against and, if so, whether this was due to them having one or more protected characteristic.
- We have carried out a themed visit to older people with dementia in continuing care NHS wards and younger people in secure care (this was a joint approach with the Care Inspectorate).
- We carried out a themed visit to people with learning disability with high support packages in the community.
- We have undertaken an investigation into the care and treatment of an individual with learning disabilities – helping services to improve how they treat those with learning disability when they present with physical disabilities.
- Promoted diversity through a new award category 'respect for diversity' as part of our Principles into Practice awards.

We will develop a workplace environment where all our staff are treated with dignity and respect

- We involved stakeholders in the recruitment for our new Chief Executive Officer to ensure we took account of the opinions of people from groups representing those from some of the protected characteristics.
- We have retained the "two ticks" scheme in our recruitment for six years. This ensures that anyone with a disability, and who demonstrates that they meet the required criteria in their application for the post, is guaranteed an interview.
- All members and staff of the National Confidential Forum (which is constituted as a committee of the Commission) received equality and diversity training.
- We added a new question to the 2015 staff survey with regards to whether staff have experienced bullying or harassment at work and whether they felt able to do anything about this. 90% of respondents indicated that they had not experienced bullying and harassment at work.

To assist services to review their use of mental health and incapacity legislation, identifying trends where we can across the equality strands.

- We have highlighted gender differences in the use of emergency detentions under the Mental Health Act (MHA).
- We have collected information on the use of MHA legislation for those from a minority ethnic background – we have reported on this but numbers are too small to draw firm conclusions.
- We have raised concerns about the use of the Adults with Incapacity Act (AWI) for young people.
- We have produced a toolkit to help people work with interpreters in interacting with people with mental illness or learning disability.



Thistle House
91 Haymarket Terrace
Edinburgh
EH12 5HE
Tel: 0131 313 8777
Fax: 0131 313 8778
Service user and carer
freephone: 0800 389 6809
enquiries@mwscot.org.uk
www.mwscot.org.uk