

# Equality outcomes and mainstreaming progress report

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## **Background**

The Commission has responsibilities under the Equality Act 2010 and public sector equality duty to:

1. Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
2. Advance equality of opportunity between people who have a relevant protected characteristic and those who do not
3. Foster good relations between people who share a protected characteristic and those who do not.

We must publish equality outcomes at least every four years and report our progress on these and on mainstreaming the equality duty, including employee equalities and gender pay gap information, at least every two years.

In our procurement, we must also consider whether award criteria and conditions should include proportionate considerations to enable us to better perform the equality duty.

## **Equality outcomes**

In January 2015 we set out three equality outcomes:

1. Our visit and investigation work will always be carried out taking equalities issues into account, therefore ensuring we fulfil our public duties to tackle discrimination and advance equality of opportunity.
2. We will develop a workplace environment where all our staff are treated with dignity and respect.
3. We will assist services to review their use of mental health and incapacity legislation, identifying trends, where we can, across the equality strands.

This report set out our progress against these outcomes over the past two years, and updates information previously published in April 2017 in our report 'Single equality scheme - equality and diversity outcomes and actions to achieve them', which has now been replaced by this report, together with our publication 'Equality outcomes and how we plan to achieve them'.

### **Progress on equality outcome 1 - Promoting equality in our service provision**

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

Over the past two years, in our service provision we:

- Produced a set of three videos explaining who we are and what we do, our visits, and our data protection policy in a straightforward way, for people who do not or cannot read; these videos include subtitles and British Sign Language (BSL)
- Have a policy on provision of information in accessible format
- Provide some leaflets in an easy read format
- Offer the Contact Scotland interpreting facility for BSL users to access our advice and information line
- Ensure our external consultation events are accessible, including offering BSL interpretation
- Carried out a themed visit to people experiencing homelessness
- Published a Younger Persons Monitoring Report
- Launched, in 2017, a guide about lesbian, gay, bisexual and trans (LGBT) inclusive mental health services. This was produced in partnership with LGBT Health and Wellbeing, and provides information for mental health professionals on how to provide the best possible care and treatment for LGBT people, with recommendations for making services more accessible and LGBT-friendly
- Met with black and minority ethnic (BME) groups in 2017 to explore ways of improving our engagement with BME communities
- Engaged with LGBT, BME and D/deaf groups through our engagement and participation officers with lived experience
- Expanded our Advisory Committee to include LGBT and BME representation
- Maintained service user and carer representation on our Board
- Updated our guide to working with interpreters, in February 2018
- Reviewed and refreshed our equalities impact assessment (EQIA) process

### **Who did we visit?**

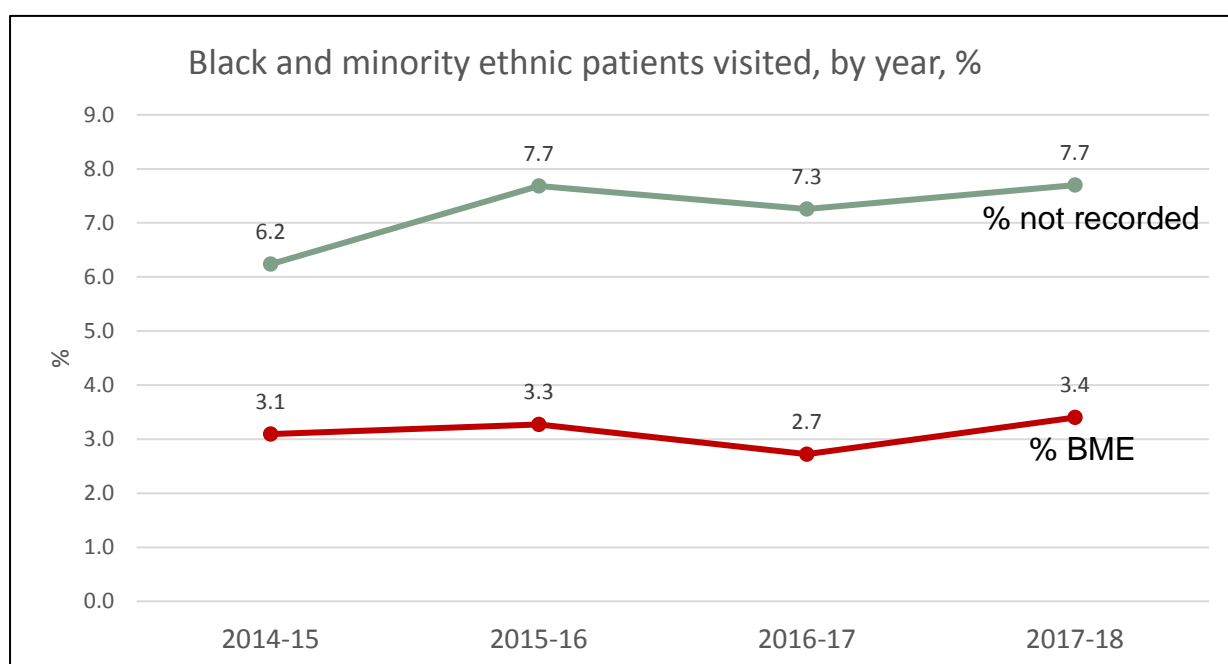
Our practitioners are asked to complete an ethnicity monitoring form on visits. We analysed our themed and local visits to review trends with regard to gender, age and ethnicity. We included data about all our individual and guardianship visits, and from themed and monitoring visits where ethnicity was monitored.

## Ethnicity

Scotland's minority ethnic population is approximately 4%, according to the 2011 census. The data is complex to analyse as the range of ethnic identities we recorded is wide; for example, in 2017-18, we recorded 38 different ethnic identities. Because the numbers are small we have aggregated all those identifying as black or mixed race, or from a non English-speaking country.

Over the past four years, we have recorded around 3% of the people we visited as BME. The number of visits in which ethnicity was not recorded rose last year slightly.

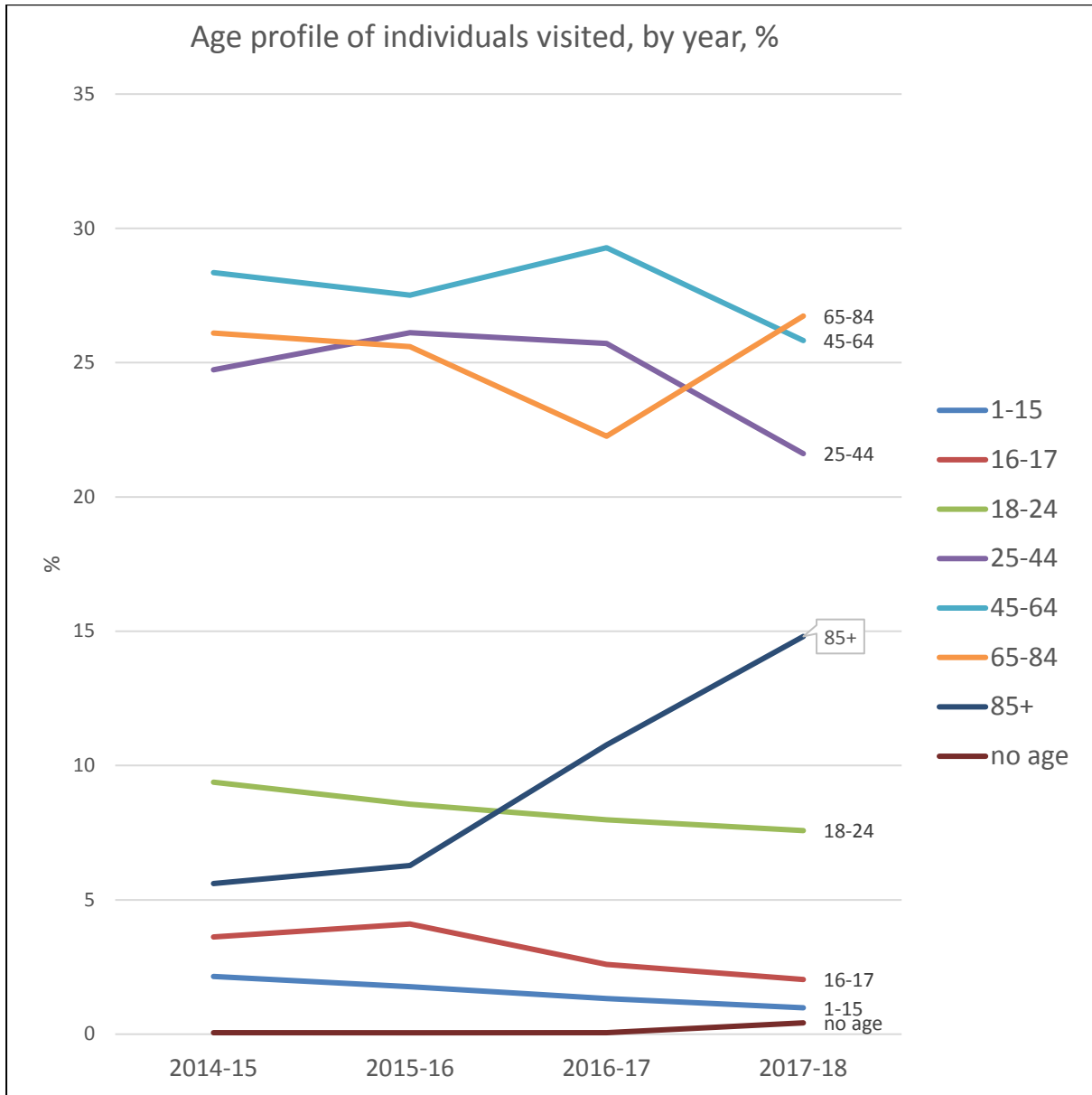
**Action:** We will review ethnicity monitoring and work with practitioners to improve the completion rate.



## Age

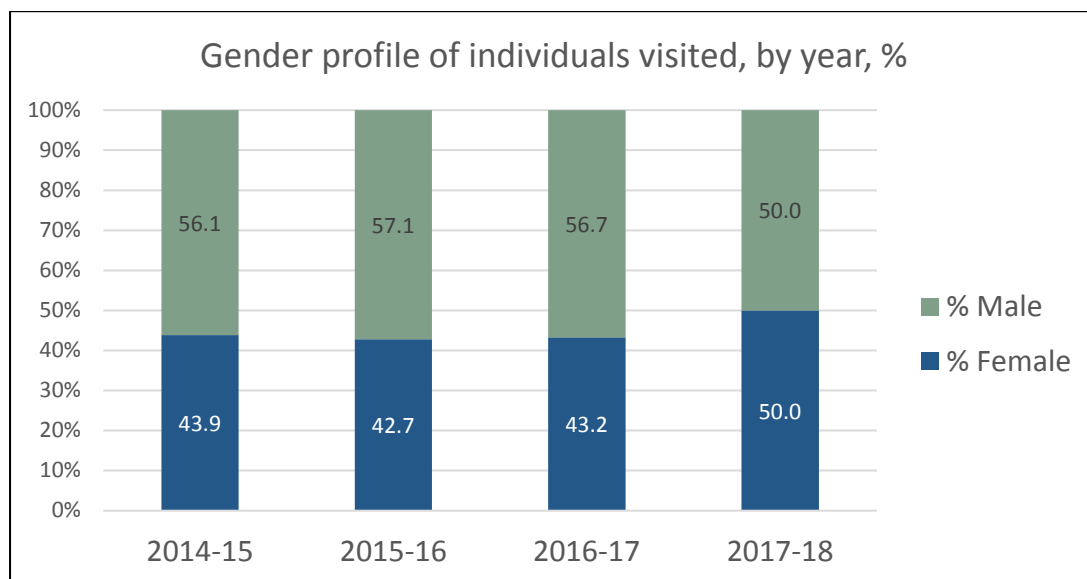
We visit individuals of all ages, and the number visited in each age band is generally fairly consistent. In 2017-18 we visited significantly more older people. This was due to our themed visit to people with dementia in community hospitals, which also may explain the larger proportion of women we met in the year, as there is a higher prevalence of dementia in women<sup>1</sup>.

<sup>1</sup> <https://www.alzscot.org/campaigning/statistics>



Age	% of individuals			
	2014-15	2015-16	2016-17	2017-18
01-15	2.1	1.8	1.3	1.0
16-17	3.6	4.1	2.6	2.0
18-24	9.4	8.6	8.0	7.6
25-44	24.7	26.1	25.7	21.6
45-64	28.4	27.5	29.3	25.8
65-84	26.1	25.6	22.3	26.7
85+	5.6	6.3	10.8	14.8
no age	0.1	0.1	0.1	0.4

## Gender



Year	% Female	% Male	% Other/Unknown
2014-15	43.9	56.1	
2015-16	42.7	57.1	0.2
2016-17	43.2	56.7	0.1
2017-18	50.0	50.0	0.1

## Progress on equality outcome 2 - Promoting equality in employment

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

Over the past two years, relating to employment we have:

- Reported on the information we have gathered under our duty to gather and use employee information, in April 2017<sup>2</sup>
- Published our first gender pay gap information and a statement on equal pay, in April 2017<sup>3</sup>
- Extended our flexible working policy to allow all staff, whose job role allows it, to use occasional remote working, and provided loan laptops to facilitate this
- Reviewed our dignity at work policy

<sup>2</sup>[http://www.mwscot.org.uk/media/346909/single\\_equality\\_scheme\\_equality\\_diversity\\_updated\\_april\\_2017.pdf](http://www.mwscot.org.uk/media/346909/single_equality_scheme_equality_diversity_updated_april_2017.pdf)

<sup>3</sup>[http://www.mwscot.org.uk/media/346909/single\\_equality\\_scheme\\_equality\\_diversity\\_updated\\_april\\_2017.pdf](http://www.mwscot.org.uk/media/346909/single_equality_scheme_equality_diversity_updated_april_2017.pdf)

- Reviewed our grievance policy
- Maintained our accreditation to the Positive About Disability Scheme
- Adapted our monitoring forms to include all key equality strands and use this form to gather information during all recruitment and for employees as part of the staff survey
- Committed to making progress on Board gender balance by signing up to the Scottish Government's 'Partnership for Change' in support of the a gender balance of 50/50 by 2020

### **Progress on equality outcome 3 - Highlighting issues of equality in the use of mental health and incapacity legislation**

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

In our reporting of the use of mental health and incapacity legislation we have:

- Highlighted gender differences in the use of emergency detentions under Mental Health Act
- Consulted in 2017 with BME groups and ISD and have agreed to move toward no longer separating ethnicity monitoring data from Mental Health Act forms we receive, which will allow us to analyse the use of the Act by ethnicity
- Revised our toolkit to help people work with interpreters in interacting with people with mental illness or learning disability
- Continued to monitor the length of guardianship orders for young people
- Made a recommendation about medium secure provision for women and for young people, in our report on medium and low secure forensic services in August 2017