

Title of report	Equality, Diversity and Inclusion Mainstreaming Report 2023
Public/Confidential	Public
Summary/purpose of report	This paper introduces our Equality, Diversity and Inclusion Mainstreaming Report for 2023 and Data Annex, attached as Appendices one and two. The Council is asked to approve the report for publication.
Recommendations	The Council is asked to: <ol style="list-style-type: none"> 1. endorse the progress we have made to achieving our equality outcomes 2. approve the report for publication.
Author	Jack Booker, Policy Analyst
Responsible Officer	Laura Shepherd, Director, Strategy and Performance
Link to Strategic Plan	The information in this report links to all outcomes.
Link to Risk Register	Risk 3: We fail to meet corporate governance, external scrutiny and legal obligations. Risk 4: We fail to provide value to stakeholders and demonstrate our impact.
Impact assessments	<ol style="list-style-type: none"> 1. An Equalities Impact Assessment (EQIA) was not required. 2. A Data Protection Impact Assessment (DPIA) was not required. 3. A Sustainability Impact Assessment (SIA) was not required.
Documents attached	Appendix 1 - Equality, Diversity and Inclusion Mainstreaming Report 2023 Appendix 2 - Equality, Diversity and Inclusion Mainstreaming Report 2023 Data Annex

EXECUTIVE SUMMARY

1. This report sets out our approach to meeting the General Duty and Specific Duties under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, to develop and publish equality outcomes and report our progress. We are required by Scottish Government to publish the report by 30 April 2023. Our mainstreaming report and a data annex are attached as appendices one and two.
2. The report sets out:
 - our legal equality duties and strategic approach to addressing them
 - information on our employees' protected characteristics, including recruitment, retention and development
 - our gender pay gap
 - information on the diversity of our Council.
3. Our legal duties in relation to equality are set out in various pieces of legislation including the Equality Act 2010 and Regulation of Care (Scotland) Act 2001. The Regulation of Care (Scotland) Act 2001 requires the SSSC to act in a manner which encourages equal opportunities. Our responsibilities on equality issues were expanded by the Equality Act 2010 including the Public Sector Equality Duty detailed in section 149 of the Act. The Public Sector Equality Duty (PSED) was created by the Equality Act 2010.
4. As a public body, we comply with the Equality Act 2010 and the Public Sector Equality Duty (PSED, or general equality duty). We pay due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - advance equality of opportunity between people who share a relevant protected characteristic and people who don't
 - foster good relations between people who share a relevant protected characteristic and people who don't.

BACKGROUND

5. Our current Equality Outcomes were set in April 2021, with the publication of our [Equality, Diversity and Inclusion Mainstreaming and Outcomes Report 2021-2025](#). Our three outcomes are:
 - outcome one: promoting diversity in the social care workforce, including disabled people, people from ethnic minority backgrounds and people with care experience
 - outcome two: increasingly demonstrate how our work is shaped by our key stakeholders including people who are care experienced

- outcome three: people increasingly view us as an employer of choice which promotes equality, diversity and inclusion in our recruitment processes and our existing staff.
6. The report highlights the progress we have made toward our Equality Outcomes and our priorities for the next two years.

EMPLOYEE INFORMATION

7. We must publish data on the composition of our employees, the recruitment, development and retention of our staff.
8. This data must be broken down by protected characteristic. We must also publish information on our gender pay gap.
9. We publish most of this information in a separate data annex, attached as appendix two.

CONSULTATION

10. The report has been developed through consultation with both internal and external stakeholders. A draft report was circulated to the EMT, OMT and the Equality Diversity and Inclusion Group. The draft was commented on by Executive Management Team (EMT) and approved on 23 January 2023.
11. This report was developed through consultation with the EMT, the Equality Diversity and Inclusion Group, stakeholders from across the SSSC and with input from external stakeholders such as Close the Gap and The Council for Ethnic Minority Voluntary Organisations (CEMVO).

RISKS

12. We aim to reduce our risk of meeting legal obligations to a managed position of being 'as low as reasonably practicable.' We maintain an averse risk appetite towards legal compliance.

IMPLICATIONS

Resourcing

13. There are no new costs associated with this report. The report highlights work that has taken place over the previous two years and states our intentions for the next two years. Any actions for the next reporting period will be covered by existing budgets.

Compliance

14. Our mainstreaming and equality outcome requirements are set out in the Equality Act 2010 and the Public Sector Equality Duty (PSED, or general equality duty). We must pay due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
15. Our requirements on addressing the underrepresentation of women in public life are set out in the Gender Representation on Public Boards (Scotland) Act 2018.
16. Our wider approach to equality is also linked to our functions under the Regulation of Care (Scotland) Act 2001. Our statutory responsibilities are set out in our Equality, Diversity and Inclusion Policy as agreed by Council in August 2020.

IMPACT ASSESSMENTS

Equalities

17. An EQIA is not required for this report. The actions that have been reported on in this report have been subject to EQIAs where relevant.

CONCLUSION

18. The Council is asked to endorse the progress noted in our Equality, Diversity and Inclusion Mainstreaming Report 2023 and approve for publication.