

<b>Meeting</b>	<b>Public SPA Board Meeting</b>
<b>Date</b>	<b>22 March 2017</b>
<b>Location</b>	<b>Stirling Court Hotel, Stirling</b>
<b>Title of Paper</b>	<b>SPA Mainstreaming Report and SPA Equality Outcomes 2017/2021</b>
<b>Item Number</b>	<b>12.1</b>
<b>Presented By</b>	<b>Judith Mackinnon</b>
<b>Recommendation to Members</b>	<b>For Noting and Approval</b>
<b>Appendix Attached</b>	<b>Appendix A</b>

**PURPOSE**

This paper provides a background to the SPA Mainstreaming Report and also presents the new SPA Equality Outcomes for 2017-2021 for approval (Appendix A).

It also seeks to agree that the supporting actions and measures to ensure and identify progress against the new set of outcomes can be finalised with the SPA CEO and Committee Chairs prior to the outcomes being published by the end of April 2017.

## **1. BACKGROUND**

- 1.1 Under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012, SPA has a statutory duty to review its current Equality Outcomes at four yearly intervals and to publish a progress report against those outcomes and any actions taken to proactively mainstream equality into all areas of the business. The revised Equality Outcomes and the Mainstreaming Report are both due for publication by the end of April 2017.
- 1.2 The SPA Mainstreaming Report outlines the work of SPA in mainstreaming equalities as well as providing an update on progress made in relation to our 2013-2017 equality outcomes since our progress report was published in April 2015. The SPA Mainstreaming Report has been provided to Board Members to review in advance of the Board Meeting.
- 1.3 The newly proposed outcomes ultimately aim to support the delivery of the Strategic Police Priorities and the Policing 2026 strategy, whilst also supporting SPA's three organisational responsibilities in relation to governance, service provision and employment. All outcomes will be measured by assessing the extent to which they advance the needs of the General Equality Duty of the Equality Act 2010.

This provides an ideal opportunity to ensure SPA's Equality Outcomes reflect the way SPA has significantly evolved, whilst also making sure the outcomes make sense to the public.

## **2. FURTHER DETAIL ON THE REPORT TOPIC**

### **2.1 New SPA Approach to Mainstreaming Report**

A recent SPA review in relation to our approach to equalities indicated that SPA cannot seek to simply receive its equalities expertise as part of a service-back from Police Scotland, when there is a requirement to ensure that the responsibility for equality is mainstreamed throughout the SPA. This review involved engagement with the Equality and Human Rights Commission (EHRC) and was supported by the SPA Board.

As a result full ownership has been taken in relation to:

- the development of this mainstreaming report and reporting progress against equality outcomes;
- the analysis of employee information provided to SPA by Police Scotland in relation to SPA staff;
- the development of the SPA Equal Pay Statement, Gender Pay Gap and Occupational Segregation information;
- the development of SPA specific actions as a result of the employee information analysis and Equal Pay Statement etc;
- ensuring that the SPA meet their specific employer duties under the Equality Act by following the principles of the Scottish Human Rights Commission 10 Good Practice Building Blocks

## 2.2 Development of Equality Outcomes

Our equality outcomes for 2017-2021 have been shaped by:

- Consultation;
- Engagement;
- National Research and Reports;
- Analysis of Equality Monitoring Information; and,
- Professional knowledge and Experience

As a result of the consultation undertaken with the Equality and Human Rights Commission, Police Scotland, Statutory Staff Associations, Unions, Diversity Staff Associations and external organisations which represent protected characteristic groups, actions were taken to update the Equality Outcomes. To publicly demonstrate this meaningful engagement the actions taken as a result of consultation are included within the Equality Outcomes proposed for publication.

Part of the consultation with these organisations included seeking views on the key types of actions SPA should carry out to ensure progress, as well as identifying key performance information required to confirm whether progress has been made. The detail in relation to this is being developed prior to the requirement to publish SPA Equality Outcomes by the end of April 2017.

## 2.3 Linkages between SPA and Police Scotland's Equality Outcomes

The equality outcomes for both organisations are different, rightly recognising the distinct roles the SPA and Police Scotland perform. However both sets of outcomes complement each other and are designed to support the Strategic Police Priorities and the Policing

2026 Strategy. These outcomes are key in supporting the overall aim of improving outcomes for people, communities and places.

**Equality Outcomes 1, 2 and 3** demonstrate our commitment as a governing body to hold Police Scotland to account for the delivery of their own equality outcomes.

**Equality Outcome 4** demonstrates the key role that SPA Complaints, Forensic Services and Independent Custody Visiting can have in supporting the delivery of Police Scotland's Equality Outcomes as well as other criminal justice partners.

**Equality Outcomes 5 and 6** demonstrate our commitment to deliver on the same equality outcomes where we are seeking to hold Police Scotland to account.

**Equality Outcome 7** recognises that SPA approves the police budget and therefore has a duty to ensure sufficient funds are provided to support the delivery of both SPA and Police Scotland's equality outcomes.

#### 2.4 Engagement with SMG and SPA Committee Chairs

The SPA Mainstreaming Report and newly proposed Equality Outcomes were presented to the SMG in draft format in February 2017 following significant engagement with SPA Equality Leads. At the most recent People Committee, the SPA Mainstreaming Report was recommended for approval to the Full Board. A meeting then took place on 8<sup>th</sup> March 2017 with the Committee Chairs to seek endorsement for the Equality Outcomes to be progressed to the SPA Full Board for approval.

Given that the detailed actions and measures used to support the new Equality Outcomes are still being finalised, approval is sought that these actions and measures can be agreed with the CEO and Committee Chairs prior to the requirement to publish by the end of April 2017. This engagement will also involve confirmation of the content of the Foreword for the CEO.

### **3. FINANCIAL IMPLICATIONS**

3.1 There are no financial implications in this report.

#### **4. PERSONNEL IMPLICATIONS**

4.1 There are personnel implications associated with this paper.

*Engagement has been undertaken during the process with staff associations, trade unions, diversity staff associations and external organisations representing diversity groups.*

#### **5. LEGAL IMPLICATIONS**

5.1 There are no further legal implications in this paper to those listed above.

#### **6. REPUTATIONAL IMPLICATIONS**

6.1 There are reputational implications associated with this paper. As a public and governing body it is essential that SPA demonstrate a proactive approach to meeting the general duties of the Equality Act 2010.

#### **7. SOCIAL IMPLICATIONS**

7.1 There are no social implications associated with this paper.

#### **8. COMMUNITY IMPACT**

8.1 There are community implications associated with this paper. The mainstreaming report and new equality outcomes focus on positive outcomes for diverse communities/groups.

#### **9. EQUALITIES IMPLICATIONS**

9.1 There are equality implications associated with this paper. The development of the mainstreaming report and new equality outcomes ensures we are progressing in line with our specific duties under the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012.

#### **10. ENVIRONMENT IMPLICATIONS**

10.1 There are no environmental implications associated with this paper.

**RECOMMENDATIONS**

Members are requested to:

- i) **Note** the SPA Mainstreaming Report;
- ii) **Approve** the new SPA Equality Outcomes; and
- iii) **Approve** the proposal to finalise the actions and measures required to support the new outcomes through the SPA CEO and Committee Chairs prior to publication before the end of April 2017.

Appendix A

# SCOTTISH POLICE AUTHORITY

## EQUALITY OUTCOMES 2017-2021

**DRAFT**

## **INTRODUCTION**

As a public body there is a legal requirement to publish equality outcomes which we consider will enable the SPA to better perform the general equality duty. In addition we must publish a fresh set of equality outcomes within four years of publishing our previous set.

These Equality Outcomes ultimately aim to support the delivery of the Strategic Police Priorities whilst also supporting our three organisational responsibilities in relation to governance, service provision and employment. All outcomes will be measured by assessing the extent to which they advance the needs of the General Equality Duty, set out in Equality Act 2010, by having due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The SPA's first set of equality outcomes were developed when SPA was created in April 2013. Four years on, the review of these outcomes provides an ideal opportunity to ensure that they reflect the way SPA has significantly evolved, whilst also making sure the outcomes make sense to the public.

Our equality outcomes for 2017-2021 have been shaped by:

- Consultation;
- Engagement;
- National Research and Reports;
- Analysis of Equality Monitoring Information; and,
- Professional knowledge and Experience

## **OUR PURPOSE**

The SPA was established under the Police and Fire Reform (Scotland) Act 2012 to maintain policing, promote policing principles and continuous improvement of policing, and to hold the Chief Constable of Police Scotland to account for the delivery of policing in Scotland.

## **HOW WE DELIVER OUR PURPOSE**

We carry out our responsibilities in three ways supported by effective internal and external communication and engagement. These are outlined below.

### **Governance**

Authority staff and Board Members carry out their governance role through a combination of scrutiny, assurance and collaboration. As policing is delivered by Police Scotland, it is essential that we work closely and collaboratively with Police Scotland in holding them to account for the delivery of policing in Scotland. To support the SPA Governance role there are four committees which focus on Audit, Finance, People and Policing. Quarterly updates are provided to the public session of the SPA Board if you are keen to see regular updates in relation to the work of these Committees.

### **Service Provider**

We provide a service to Criminal Justice partners through the management of Forensic Services, the Senior Officer (i.e. Assistant Chief Constable and above) Complaints Process and the Independent Custody Visitors Scheme.

We deliver **Forensic Services** to Police Scotland, the Police Investigations and Review Commissioner (PIRC) and the Crown Office and Procurator Fiscal Service (COPFS). Forensic Services are led by the Director of Forensic Services who reports to the SPA Chief Executive Officer (CEO).

One of the main responsibilities of the **SPA Complaints and Conduct Team** is to support the assessment and consideration of complaints about Senior Officers through the People and/or Policing Committee, where appropriate.

The **Independent Custody Visiting Team** helps ensure that we meet our statutory obligations to maintain and manage an Independent Custody Visiting Scheme to monitor the welfare of people detained in police custody facilities throughout Scotland.

### **Legal Employer**

We are the employer of all civilian staff working in the SPA and Police Scotland. We have direct management responsibility for Authority staff who carry out the duties of the SPA. Police Scotland have direct management responsibility for all police staff who are under the direction of the Chief Constable.

Although police staff work in Police Scotland we ensure that we meet our employer obligations through the approval of all employer policies and initiatives, whilst providing assurance that practice reflects policy.

Employer issues are considered via the People Committee, with recommendations provided to the SPA Board to ensure decisions are taken in public by all SPA Board Members.

## **THE STRATEGIC POLICE PRIORITIES AND POLICING 2026 STRATEGY**

The Strategic Police Priorities for Policing are set by Scottish Government. The current priorities were laid before Parliament in October 2016 following an extensive programme of engagement with individuals, communities, the public and third sectors partners across Scotland.

The current Strategic Police Priorities are as follows:

<b>Priority</b>	<b>Description</b>
Localism	Ensure that the needs of local communities are understood and reflected in the planning and delivery of policing at a local and national level.
Inclusion	Ensure our police service is accessible and responsive to the needs of all people in Scotland.
Prevention	Ensure our police service works to protect people by preventing crime and reducing fear of crime through communication, education, innovation and partnership working.
Response	Focus policing on improving the wellbeing of individuals and communities by tackling crime and responding to and investigating incidents effectively and efficiently.
Collaborative Working	Ensure that our police service works productively with partners at local, national and international levels to deliver better outcomes for people in Scotland.
Accountability	Continuously improve public confidence in policing and inspire trust by being transparent, accountable and acting with integrity, fairness and respect.
Adaptability	Ensure our police service takes advantage of new opportunities and meets emerging threats and challenges.

Both SPA and Police Scotland are responsible for the delivery of the Strategic Priorities and therefore are working in partnership in order to translate these priorities into more focused objectives through the Policing 2026 Strategy. More detailed information in relation to the strategy is available [here](#).

From an equality perspective, key commitments within the strategy include:

- Responding to the diverse needs of individuals and communities;
- Building partnerships for specific communities at a national and local level in recognition of the increased diversity in Scotland;
- Strengthening the diversity of the whole workforce as well as changing the workforce mix to address the evolving needs and complexities of our diverse communities;
- The provision of new flexible career paths and new routes to enter, exit and re-enter the organisation; and,
- Recognising and valuing the development and wellbeing of all staff.

### **EVIDENCE USED TO DEVELOP EQUALITY OUTCOMES**

The relevant sources of evidence used to develop our outcomes in relation to **hate crime** and **gender-based violence** were in line with the evidence base used by Police Scotland for their Equality Outcomes on these issues.

The relevant sources of evidence used to develop our outcomes in relation to the **workforce** were:

- The Scottish Government's Strategic Police Priorities (Scottish Government, October 2016)
- The draft Policing 2026 Strategy circulated for consultation on 27/02/17
- The EHRC Strategic Plan 2016-2019
- Race Equality Framework for Scotland 2016-2030
- The Fair Work Convention Remit
- A Fairer Scotland (Scottish Government, September 2015)
- Scottish Parliament Equal Opportunities Committee Inquiry into 'Removing Barriers: Race, Ethnicity and Employment' May 2015
- SPA Employment Monitoring Data from 2017 Mainstreaming Report
- SPA People Committee – Purpose and Scope
- Police Scotland's Draft Equality Outcomes 2017-2021
- Report for SPA/Police Scotland Opinion Survey 2015

The relevant sources of evidence used to develop our outcomes in relation to **Consultation and Engagement** were:

- The Scottish Government's Strategic Police Priorities (Scottish Government October 2016)
- The draft Policing 2026 Strategy circulated for consultation on 27/02/17

- National Standards for Community Engagement (Scottish Government, September 2016);
- Principles of Inclusive Communication: An information and self-assessment tool for public authorities (Scottish Government, September 2011)
- A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities (Scottish Government, December 2016); and,
- Access & Inclusion: A Report on Hate Crime in Scotland's Deaf Community (British Deaf Association/Scottish Government 2015);

## **IMPACT OF CONSULTATION ON SPA EQUALITY OUTCOMES**

As a result of the consultation undertaken with Police Scotland, Statutory Staff Associations, Unions, Diversity Staff Associations and external organisations representing minority groups including CEMVO, CRER, Close the Gap, Stonewall, the Scottish Disability Equality Forum and Venture Scotland, the following actions were taken:

- An introductory section has been included providing an explanation of the SPA and the separate roles it performs;
- An explanation has been provided as to why SPA and Police Scotland Equality Outcomes are different yet linked;
- A section has been included which clearly outlines the evidence used to develop SPA's Equality Outcomes
- The phrase protected characteristic groups have been replaced with the term diverse communities/groups in order to be more relatable to the public;
- The wording used in the outcomes has been simplified;
- Rather than focusing on the general impact of operational policing on diverse communities/groups a more direct focus has been placed on hate crime incidents, gender based violence and young people;
- In terms of equality outcomes in relation the workforce, there is now the requirement to seek evidence of initiatives designed to ensure SPA and Police Scotland are inclusive organisations e.g. to ensure continuation of the positive work already demonstrated through the Stonewall Index; and
- An equality outcome in relation to financial decision making has been included to ensure this supports the delivery of SPA and Police Scotland's equality outcomes.

Some organisations sought for the SPA to be more focused in relation to specific protected characteristic groups, however it was felt that the outcomes in relation to workforce and communication and engagement should relate to all diversity groups with the supporting actions being more specific in relation to the individual needs of particular groups.

## **LINKAGES BETWEEN SPA AND POLICE SCOTLAND'S EQUALITY OUTCOMES**

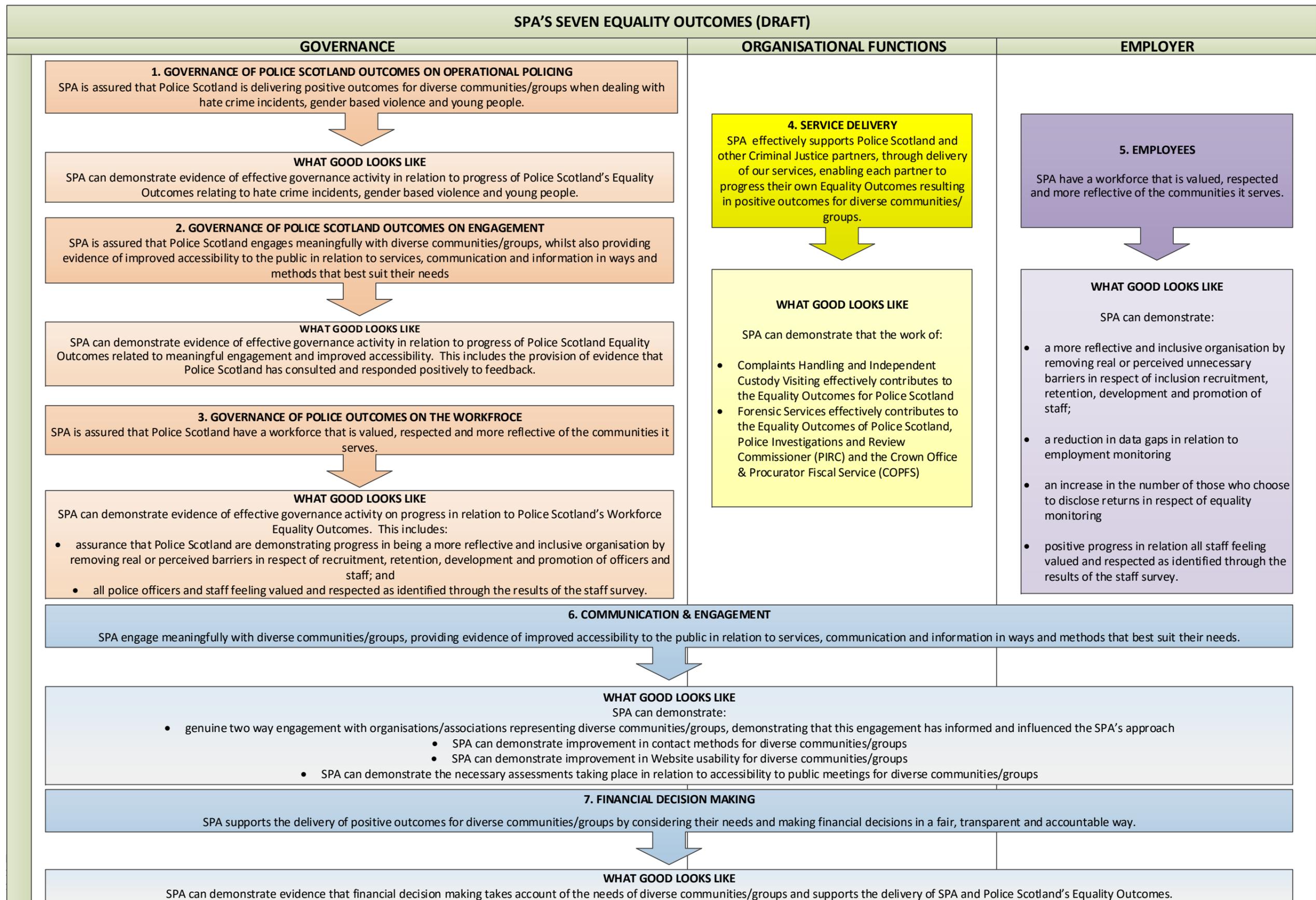
Whilst the equality outcomes for both organisations are different, rightly recognising the distinct roles the SPA and Police Scotland perform, both sets of outcomes are designed to support the same Strategic Police Priorities and the equality commitments within the Policing 2026 Strategy.

**Equality Outcomes 1, 2 and 3** demonstrate our commitment as a governing body to hold Police Scotland to account for the delivery of their own equality outcomes.

**Equality Outcome 4** demonstrates the key role that SPA Complaints, Forensic Services and Independent Custody Visiting can have in supporting the delivery of Police Scotland's Equality Outcomes as well as other criminal justice partners.

**Equality Outcomes 5 and 6** demonstrate our commitment to deliver on the same equality outcomes where we are seeking to hold Police Scotland to account.

**Equality Outcome 7** recognises that SPA approves the police budget and therefore has a duty to ensure sufficient funds are provided to support the delivery of both SPA and Police Scotland's equality outcomes.



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