EQUALITY IN GLASGOW

Glasgow's Public Bodies and the Public Sector Equality Duty

Coalition for Racial Equality and Rights

The Coalition for Racial Equality and Rights is a Scottish anti-racist organisation which focusses on helping to eliminate racial discrimination and harassment and promote racial justice.

CRER's key mission is to: Protect, enhance and promote the rights of minority ethnic communities across all areas of life in Scotland; and to empower minority ethnic communities to strengthen their social, economic and political capital.

CRER takes a rights based approach, promoting relevant international, regional and national human rights and equality conventions and legislation.

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Contents

Introduction

Equality duties are a vital part of Britain's equality legislation. Experience has shown that basic protections, relying on those experiencing discrimination to take legal action, are not enough to create an equal playing field in employment and service provision. In the past, organisations have tended to take a reactionary approach to advancing equality. Action was often taken only where needed to address potential legal risks. In turn, this was compounded by barriers to legal remedies faced by many people in need of protection. To create more sustained and significant progress on equality, proactive legislation was needed and eventually developed in the form of equality duties for the public sector.

Scotland's public sector has been subject to equality duties in various forms since the introduction of the Race Relations (Amendment) Act 2000. This was followed by legislation creating a disability equality duty in 2005 and a gender equality duty in 2006, all of which were superseded by the general public sector equality duty and associated specific duties for Scotland, England and Wales after the Equality Act 2010 brought together 40 years of hard won equalities legislation.

In Scotland, the new duties are intended to be more cohesive, concise, easy to comply with and wide ranging. Notable improvements have been made in some areas. For instance, organisations are now required not only to carry out equality impact assessment but to take due regard of the results; equality outcomes improve on the old action plans by requiring evidence based change and must be set with the involvement of people with protected characteristics.

On 30th April 2013, Scotland's public bodies were required to publish the first set of documentation demonstrating their compliance with the new Scottish specific equality duties set out in the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. In preparing and publishing these documents, a wide range of interpretations have been applied both in terms of compliance with the Regulations themselves and in following the non-statutory guidance which accompanies them[1]. This first round of publication provides an ideal opportunity to compare practice across the public sector, highlight innovations and identify weaknesses.

This report takes a practical approach to exploring what can be learned from the Equality Duties documents published by Glasgow's public sector organisations. It is hoped that our findings will inspire best practice in the implementation of the Scottish specific public sector equality duties, both in Glasgow and further afield.

The research process raised many questions, commendations and concerns. These have been used to create key learning points for public sector bodies at each section and a number of overall recommendations detailed in the conclusion on page 49.

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[1] The UK Government has decided not to permit the EHRC to produce statutory guidance on the equality duties, alleging that this would constitute a burden on public sector bodies.

Background

The Equality Duties in Scotland

For equality organisations such as CRER, the importance of the equality duties cannot be over-stated. The activities of public sector organisations impact the lives of everyone in Britain, providing essential services and employing over five million people.[2] The risk that inequality places on people's life chances is well documented,[3] and should be taken as seriously as health and safety or financial management. Just as these other responsibilities demand statutory procedures for risk assessment and best value, the public sector needs a way to demonstrate how it tackles institutional discrimination and inequality. The equality duties provide a relatively transparent, structured means of doing this.

The general equality duty set out by the Equality Act 2010 means that public authorities must have 'due regard' to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. This duty applies to all of the protected characteristics set out in the Equality Act 2010; race, sex, disability, sexual orientation, religion and belief, age, gender reassignment and pregnancy and maternity; with marriage and civil partnership included only in the requirement to eliminate unlawful discrimination.

The Scottish specific public sector equality duties (often shortened to specific duties) are regulations of the Scottish Parliament which are designed to assist organisations to meet the general equality duty. There are significant similarities between these and previous equality duties on race, disability and gender which public sector bodies previously demonstrated action towards through equality schemes and reports. All protected characteristics of the Equality Act 2010 (detailed above) except marriage and civil partnership are now included in the specific duties. These are referred to as 'relevant protected characteristics' for the purposes of the equality duties.

Only those public authorities listed in the Regulations are required to comply with the specific duties; this is a smaller number of organisations than are bound by the general equality duty. These are known as 'listed public authorities'.[4] In Glasgow, 20 local organisations are listed.

The specific duties came into force on 27th May 2012.[5] Four of these duties required public sector bodies to publish information by 30th April 2013, with timescales laid out for reporting on and renewing these documents. This first round of publication is the focus of this research.

Public sector bodies were required to publish the following documents by 30th April 2013:
- A report describing progress on mainstreaming the general equality duty, including employee equality monitoring information
- A set of equality outcomes detailing the changes they want to see in order to make towards meeting the general equality duty
- Gender pay gap information
- A statement on equal pay, including information about occupational segregation (the equal pay statement relates to gender only in 2013, but will include race and disability from 2017)

Under the specific duties, public authorities must ensure that these are published in a manner that is accessible.

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[2] Office for National Statistics (2013) *Statistical Bulletin: Public Sector Employment, Q1 2013*. London: ONS

[3] See, for example, Equality and Human Rights Commission (2010). *How fair is Britain? Equality, human rights and good relations in 2010: the first triennial review*. London: Equality and Human Rights Commission

[4] The list of public bodies subject to the specific duties can be accessed on the EHRC website.

[5] The introduction of specific duties in Scotland was delayed in comparison to the rest of Britain due to the rejection of the Regulations at Committee stage in 2011, following criticism from CRER and others on the robustness of the original proposals and the approach to consultation.

The duties also include ongoing obligations not covered in any detail by this report, including assessing and reviewing policies and practices (equality impact assessment) and considering award criteria and conditions in relation to equality in public procurement.

Analysing Publications from Glasgow's public sector

This report aimed to look in some detail at how Glasgow's public authorities have approached the elements of the duties requiring publication by 30th April 2013. When the initial phase of research was conducted in May 2013, 18 of the 20 local organisations listed in the specific duties had published information for the 30th April deadline. A full listing of the 20 relevant public bodies is provided in the appendix page 51. The 18 organisations which published information within one month of the deadline have been included in this analysis. One further organisation has since published some of the required information, however this was too late for inclusion in our analysis. The research did not include national organisations based in Glasgow.

A range of case studies and examples are provided throughout the report. These are loosely based on the publications within the study sample, however each one has been altered, reworded or amalgamated with other examples in order to make sure individual organisations cannot be identified. This decision has been taken to avoid appearing to endorse or condemn any particular organisation's performance. Some of the more compliant organisations in the study had areas of very poor practice, and some organisations which were not entirely compliant had areas of very good practice.

Publication

This report analyses the range of information produced by Glasgow's public bodies in pursuit of their specific duties in April 2013. The format in which this information is published varies widely, however each of the 20 listed organisations should have produced information comprising of a mainstreaming report, equality outcomes, employee information (within the mainstreaming report), gender pay gap and an equal pay statement.

Figure 1 below demonstrates that, overall, two of the organisations failed to publish any information. Of the remaining 18, all published both mainstreaming reports and equality outcomes, 16 published employee information and equal pay statements whilst only 14 complied with the duty to publish details of the gender pay gap.

Figure 1
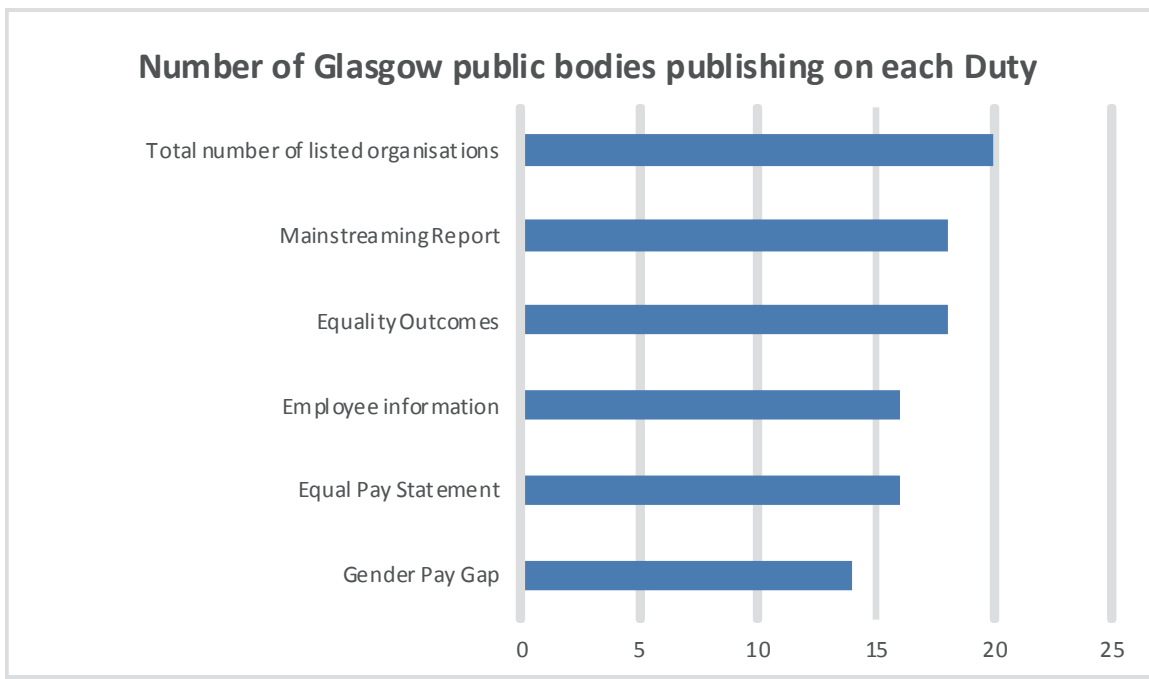
It should be noted that publishing the above information does not necessarily mean that organisations complied with the duties. Each duty has specific requirements, and particularly with regard to the mainstreaming report, equality outcomes and employee information, the documentation will be non-compliant if these statutory requirements have not been met. This report focusses largely on these three duties, touching briefly on the final two which arguably leave less room for interpretation (whether innovative or erroneous).

The suites of publications analysed in this report were extremely diverse in format and content. The flexibility of the duties in this regard creates some ability to tailor the reports in innovative and useful ways. Less positively, in this sample the lack of a standardised format arguably led to a number of organisations publishing in a way that hampers analysis of their performance of the specific duties.

Several chose to publish all of the information required in one large publication. This was beneficial where the structure clearly set out sections representing each of the duties individually. Instead, some organisations opted to use a format closer to the equality scheme approach used for the previous equality duties, and in several of these cases the full range of information required by the new duties was not easy to tease out. At least one report may have been partially 'copied' from a previous equality scheme – this research did not aim to identify where this has been done more widely, but nevertheless, this is an example of poor practice which deserves acknowledgement.

Where separate reports had been created for different elements of the specific duties it could still be difficult to identify where each duty was being addressed. For example, organisations are required to publish occupational segregation data as part of the equal pay statement duty, but many had not included this in their equal pay statement and instead included it as part of their employee Information data in the mainstreaming report. One organisation provided a suite of publications with multiple different sections on mainstreaming, and another contained two different tables both marked 'equality outcomes'.

Key learning points:

- A single equality duties publication makes information easier to access

- Setting out the information under clear headings for each duty makes it easier to understand

- It's not enough to publish only some of the information required – each part of the Specific Duties must be met in order to comply with the law

Mainstreaming Reports

The duty to publish a report on the progress made in integrating the general equality duty to the exercise of functions so as to better perform that duty (sometimes referred to as the mainstreaming duty) was complied with by all but two of Glasgow's 20 local listed public authorities. However, radically different approaches were taken by the organisations in fulfilling that duty, and some met the requirements of the duties better than others. This analysis particularly looked at the structure of the reports and what was covered within them in relation to the requirements of the duties.

Structure of mainstreaming reports
The EHRC's Technical Guidance on mainstreaming states that "Mainstreaming the general equality duty refers to the process of making the general equality duty an integral part of all of an authority's relevant functions and practices by all staff at all levels, embedding it across policies, procedures and corporate systems and reflecting it in business planning and reporting cycles."[6] In the majority of mainstreaming reports, it was difficult to ascertain the extent to which this had been complied with. Issues around structure often compounded these difficulties.

The EHRC non-statutory guidance and technical guidance both clearly state that mainstreaming should be carried out across the full range of functions within an organisation, but take a non-prescriptive approach to how organisations should demonstrate this broad coverage within the report. Perhaps reflecting this lack of clarity, some organisations had referred to only two functions (their functions as an employer and as a service provider, which are well established as key focuses of the Equality Act 2010), whereas more functions could be readily identified in others, up to a maximum of 10 functions. Examples of functions additional to employment and service provision set out in reports included administration, finance, marketing, engagement, policy and leadership. Two of the 18 organisations did not set out any identifiable functions in their reports.

On the whole, those reports which used a set of key functions to structure the information were easier to understand. Where the mainstreaming information was not set out under headings or sections corresponding to the organisation's functions, it was often difficult to see how the organisation had met the duty to 'mainstream equality into each of its functions'.

Many of the reports focussed heavily on one element of activity, at the expense of more practical information which could illuminate the organisation's efforts to embed equality. In most of these cases, the focus was either on providing data (in line with the Duty on employment information) but with little or no analytical aspect, or on describing organisational ethos and bureaucratic process. At the extreme of this trend, one organisation used its equality policy as a large portion of its mainstreaming report, which was both unnecessary and inappropriate.

Policy and process based factors are understandably included to some degree in all mainstreaming reports; the EHRC technical guidance on mainstreaming specifically refers to embedding equality in "…policies, procedures and corporate systems and reflecting it in business planning and reporting cycles".[7]

However, information on policy and process is arguably only effective within the mainstreaming report if provided in a context which allows the reader to understand how they have helped to embed equality into the organisation's work. The guidance makes a recommendation to that effect: "To show that the steps it has taken are effective, the authority may wish to give examples of how these have helped to eliminate discrimination, advance equality of opportunity or foster good relations."[8]

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[6] Equality and Human Rights Commission (2013) *Equality Act 2010: Technical Guidance on the Public Sector Equality Duty (Scotland).* London: Equality and Human Rights Commission

[7] Equality and Human Rights Commission (2013) *Equality Act 2010: Technical Guidance on the Public Sector Equality Duty (Scotland).* London: Equality and Human Rights Commission

[8] Ibid.

For example, rather than simply stating that the organisation has a number of working groups on equality, brief details can be given on issues considered by those working groups or a case study may be provided to illustrate how working groups make a difference.

As well as obscuring the actual impact of mainstreaming activities, it was often difficult to identify evidence of mainstreaming activity in "practices by all staff at all levels" in those mainstreaming reports with an overly bureaucratic focus.
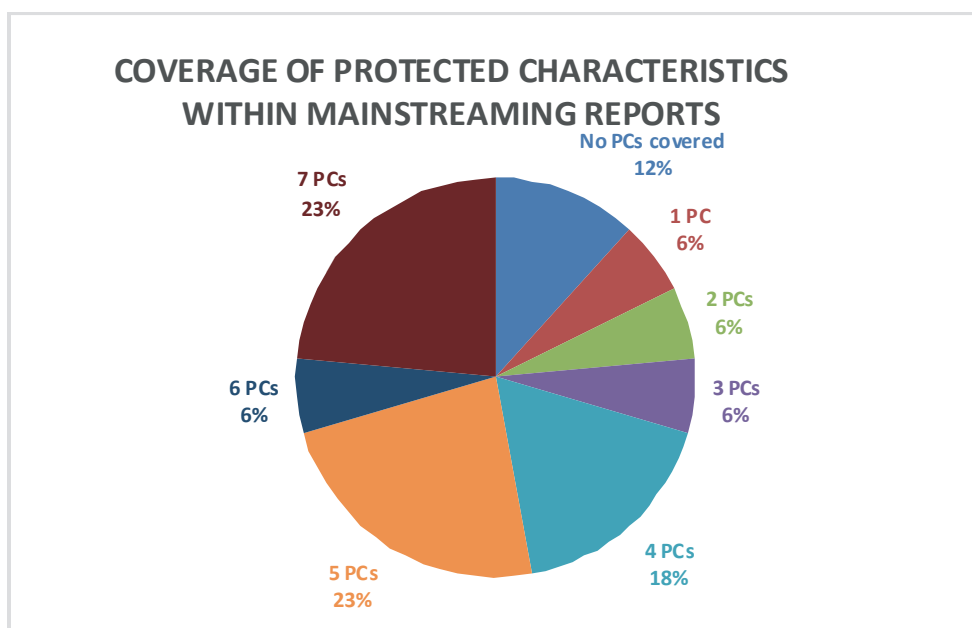
A small proportion of the reports demonstrated evidence on mainstreaming clearly, showing a good understanding of the requirements of the guidance. There were substantial variations in approach within the better examples, but generally, these included a balanced mixture of information at policy, strategic and practical implementation levels set out in a user friendly manner. So, for example, briefly explaining the organisation's ethos on equality; describing the main strategic processes for embedding equality; and providing a range of practical case studies or examples of activity in service delivery and employment.

Protected characteristics and 'needs'
Mainstreaming reports should detail how an organisation has embedded equality into each of its functions for each of the relevant protected characteristics and for each of the three 'needs' set out in the general equality duty; to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. It could be expected that some organisations would find it difficult to evidence how they have attempted to progress each need for every single protected characteristic, however it would no doubt be acceptable to evidence a broad range of activity across these areas. In line with the Technical Guidance, organisations would be expected to focus on embedding equality in the areas where the greatest potential for addressing inequality or promoting equality exist ("A listed authority may wish to tackle the most significant inequalities in relation to which it, as an authority, can take action, based on the evidence gathered").[9]

The clarity with which protected characteristics and 'needs' were covered varied greatly in each report. Of the eight protected characteristics which organisations could address within the mainstreaming report, the maximum number specifically mentioned in the report was seven (detailed at figure 2). Two of the reports had no detail at all regarding protected characteristics. In one of these cases, the focus of the report was purely on describing the bureaucratic processes the organisation uses in relation to equality; this type of approach could be seen to varying degrees in a number of the reports.

Figure 2

COVERAGE OF PROTECTED CHARACTERISTICS
WITHIN MAINSTREAMING REPORTS

No PCs covered 12%
1 PC 6%
2 PCs 6%
3 PCs 6%
4 PCs 18%
5 PCs 23%
6 PCs 6%
7 PCs 23%

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[9] Ibid.

Overall, organisations seemed to find it easiest to identify activity towards meeting the second need, advancing equality of opportunity (as demonstrated at figure 3). Of the 16 reports where an attempt to address needs could be identified, 15 described activities which involved advancing equality of opportunity for one or more of the protected characteristics. The 16th organisation and 10 of the other organisations described some activity which could be seen to advance equality of opportunity, but without clearly outlining which protected characteristics would benefit (a weaker approach).

The first and third needs were represented less often. Activity towards meeting the first need, eliminating discrimination, harassment and victimisation, was outlined in relation to one or more protected characteristics by 6 of the organisations and in general terms by eight (four of these included both, meaning that a total of 10 organisations out of a possible 18 addressed need one). Similarly, eight organisations mentioned activity towards meeting need three in terms of one or more protected characteristics and six in general terms, with four mentioning both – again, a total of 10 organisations giving information on fostering good relations.

Figure 3

REPORTS COVERING THE THREE 'NEEDS' OF THE GENERAL EQUALITY DUTY
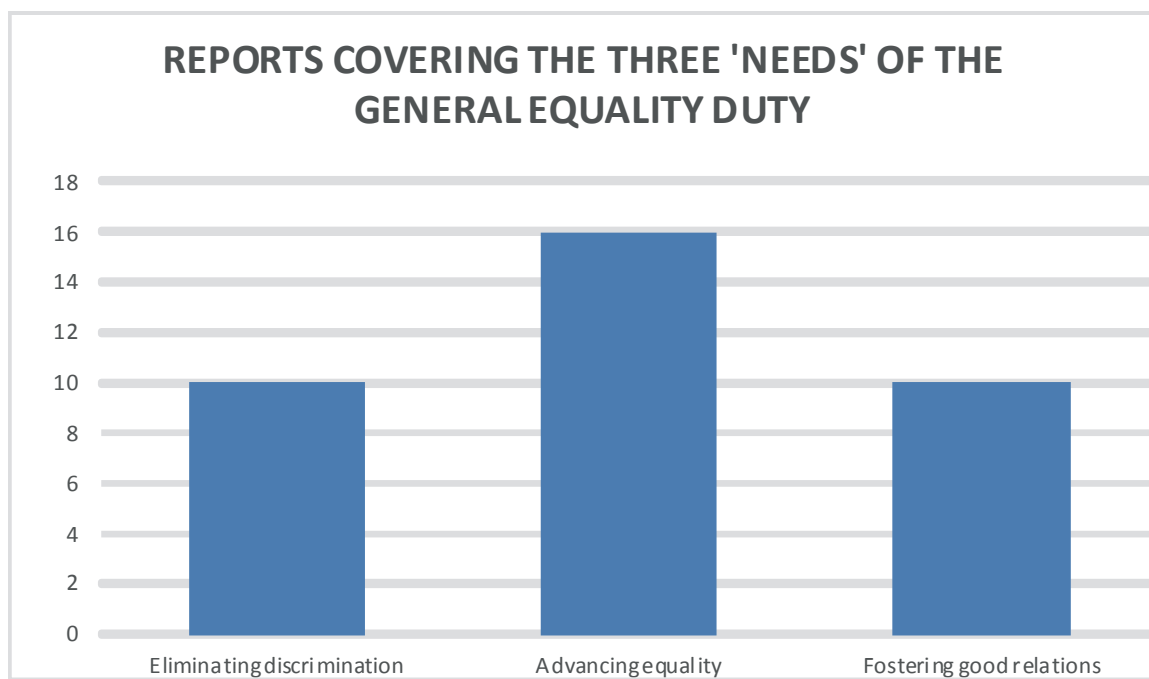
Many organisations did not sufficiently explore how their mainstreaming activities relate to the protected characteristics they are intended to benefit. Activities that contribute to meeting the equality duties must relate to one or more protected characteristics – those which create benefits for everyone without addressing a disadvantage are not relevant, however positive the general impact may be. Where they were addressed, protected characteristics were often mentioned in a relatively narrow range of contexts.

None of the reports examined directly mentioned all protected characteristics. Four of the organisations outlined activity that was explicitly linked to seven out of the eight possible protected characteristics, with the missing characteristic in each case being pregnancy and maternity. Some organisations mentioned as few as one, two or three characteristics. This approach creates difficulties in establishing the extent to which the General Duty is being mainstreamed, as 'cross-strand' activities are presented without acknowledgement that these may benefit some protected characteristic groups more than others.

The total number of mainstreaming reports making some mention of the various protected characteristics included in the specific duties can be seen at figure 4.

Figure 4

Protected Characteristics mentioned in Mainstreaming Reports
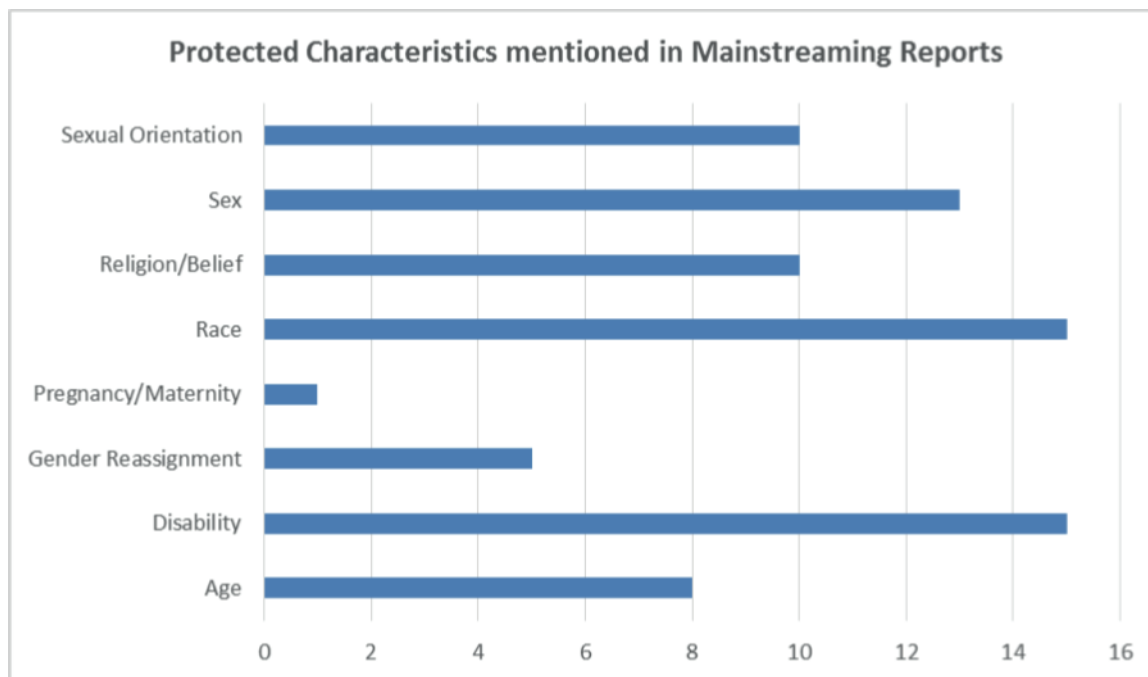
Whilst coverage is relatively patchy for most of the protected characteristics, it is notably poor for some characteristics in particular. Only one organisation mentioned pregnancy and maternity in its mainstreaming report, and only five mentioned gender reassignment. Both of these characteristics were included in sex discrimination legislation until the development of the Equality Act 2010, so organisations should already be at least partially familiar with the issues at hand.

Although it would represent poor practice, it is possible that two years on from the implementation of the Equality Act 2010 some organisations are still developing mechanisms for collecting internal information on these characteristics. However, external evidence is widely available and clearly demonstrates the need for action to tackle inequalities faced by these groups in employment and access to services.[10]
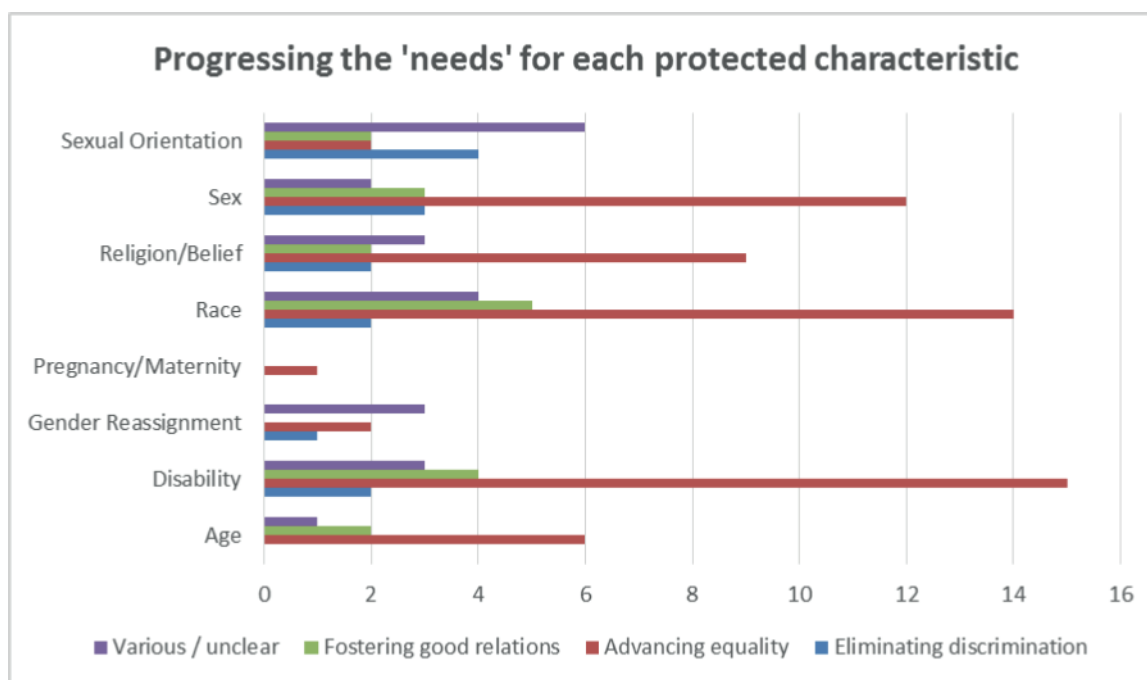
The lack of attention to the overall range of protected characteristics shown at figures 3 and 4 above strongly suggests that the majority of organisations are not taking a consistent approach to meeting their mainstreaming responsibilities under the specific and general equality duties.

Cross-referencing each protected characteristic with needs one, two and three of the general equality duty, it becomes clear that certain protected characteristic and need combinations dominated the mainstreaming reports. As previously stated, need two (advancing equality of opportunity) was by far the most prolific.

The following chart shows the spread of protected characteristics and 'needs' combinations within the mainstreaming reports.

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[10] See, for example, Maternity Action (2012). *Maternity Rights…and Wrongs.* London: Maternity Action; Mitchell, M. and Howarth, C. (2009). *Trans Research Review.* London: Equality and Human Rights Commission

Figure 5

Progressing the 'needs' for each protected characteristic

Categories (top to bottom): Sexual Orientation, Sex, Religion/Belief, Race, Pregnancy/Maternity, Gender Reassignment, Disability, Age

Legend: ■ Various / unclear ■ Fostering good relations ■ Advancing equality ■ Eliminating discrimination

In the majority of cases, 'advancing equality of opportunity' related to basic accessibility activities (for example improving disability access or language support). Religion and belief was also mentioned by many in terms of advancing equality of opportunity, however, this was often as part of wider cultural accessibility activities and therefore closely linked to the race equality agenda.

Fostering good relations was mentioned to a greater extent for race equality than for other strands. Many organisations, particularly in the educational field, had developed or taken part in 'diversity days' and other activities intended to increase cultural awareness. No organisations outlined activities to foster good relations in regard to gender reassignment or pregnancy and maternity.

In terms of protected characteristic specific activity, most reports showed relatively little emphasis on eliminating discrimination, hence the relatively low levels shown at figure 5 in comparison to the overall chart on 'needs' (figure 3). Eliminating sexual orientation discrimination and harassment shows relatively higher levels here due to the prevalence of efforts described to combat homophobia. No mentions were made of activities to eliminate discrimination or harassment on the grounds of age or pregnancy and maternity.

Where organisations described activities in a way that made it difficult to ascertain which need would be met, or there was a likelihood all needs could be met, this was recorded as 'various / unclear'. The distinctly higher level for sexual orientation in this category is largely on account of organisations engaging with the Stonewall Diversity Champions programme.

Although this study has attempted to record all mentions of activities clearly intended to progress one or more of the 'needs' of the general equality duty, it should be noted that CRER makes no judgement as to the effectiveness or appropriateness of these activities. For example, as a race equality organisation, CRER has concerns about the quality of activities around cultural awareness in general – without appropriate depth of involvement from minority ethnic individuals and understanding of subtle racism, these activities (in particular short-term initiatives such as 'diversity days') risk becoming counterproductive.

Equality impact assessment, procurement and involvement

Although organisations are not strictly required to cover information on their equality impact assessment (EQIA) and procurement duties within the mainstreaming report, the majority chose to mention these to some degree. Fifteen organisations mentioned equality impact assessment in their mainstreaming reports, with at least two others mentioning it elsewhere in the suite of equality documents published.

Procurement was less often mentioned, appearing in seven mainstreaming reports and three of the other documents examined. Given the importance of these two duties to meeting the general equality duty, it may be useful for organisations to set out some information about their approach within the mainstreaming report, provided the focus remains on how these have contributed to progress in mainstreaming equality as opposed to simply outlining the bureaucratic process.

Overall, organisations approached the issue of involvement in a similar way – although there is no absolute legal requirement to detail general information on how they involve people with protected characteristics, it is suggested in the technical guidance and many chose to do so (13 within main-streaming reports, and another four covering this elsewhere in their suite of publications). This ranged from a brief list of staff and service user groups, to more extensive information on partner-ship working and engagement activities.

Unlike the equality outcome setting process, there is no duty to involve people with protected characteristics and their representatives in the process of developing the mainstreaming report. This is perhaps understandable, as the mainstreaming report is intended to set out how equality has been embedded within the organisation, however when combined with the lack of obligation to involve people in reporting on progress towards equality outcomes (as opposed to outcome setting, where there is a requirement to involve) the result is that there is no real impetus within the duties for organisations to take an evaluative approach that includes the experiences of the people affected.

Key learning points:

- Combining strategic and policy information with examples of practical implementation helps to ensure mainstreaming reporting covers "func-tions and practices by all staff at all levels", as required

- Mainstreaming activity needs to address all of the needs and relevant protected characteristics of the general duty as far as possible; consider how this can be accurately reflected in reporting

- Including EQIA, procurement and involvement information can assist in demonstrating compliance with the general duty

- Organisational functions make useful headings in mainstreaming reports

Equality Outcomes

The specific duty on equality outcomes requires listed authorities to publish a set of equality outcomes which will enable them to better perform the general equality duty. Our analysis looked in some depth at the outcomes produced in Glasgow, including action taken in setting outcomes in line with the requirements of the legislation, and the structure, wording, coverage and content of the outcomes.

Outcome Setting

More than any of the other duties within the Regulations, the duty to set equality outcomes has substantial requirements on how this element of the duties should be prepared. These requirements include obligations to base outcomes on evidence, including information gathered through involvement. The first part of our analysis in this section therefore looks at the process of setting the outcomes. Not all organisations provided details of this process, however where an overview was provided, this significantly aided in demonstrating the quality of the organisation's equality outcomes.

Involvement
The specific duty on publishing outcomes places an obligation on organisations to "take reasonable steps to involve persons who share a relevant protected characteristic and any person which appears to the listed authority to represent the interests of those persons" when preparing outcomes.[11] The results of this involvement must form part of the evidence base for setting outcomes. Taking 'reasonable steps' to do this will be a proportionate matter and therefore will vary according to each organisation's size, role and functions.

The wording and proportionate nature of the obligation to involve makes it difficult to ascertain what level of involvement is required by law, however it could be reasonably assumed that authorities would have to engage with a range of individuals and external expertise in order to successfully meet their responsibilities.

The EHRC non-statutory guidance document on outcome setting[12] reflects this, stating that "The specific duty requires you to take reasonable steps to involve people who share a relevant protected characteristic and their representatives. In practice, you will want to involve a range of people in preparing your outcomes.

By involving staff groups, individuals, equality groups and communities you will help give a voice to those who are affected by your decisions and ways of working, and to improve decision-making. These people and groups can tell you where you are successful in advancing equality and where action is most needed. This is particularly important where there are evidence gaps. You will need to take reasonable steps to involve people with all protected characteristics."

In addition, the EHRC provides a 40 page non-statutory guidance document on the involvement aspect of the duty itself,[13] including a range of examples on engaging with staff, service users, equality groups and communities.

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[11] Scottish Parliament (2012) *Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012*. Edinburgh: TSO

[12] Equality and Human Rights Commission (2012). *Equality outcomes and the public sector equality duty: A guide for public authorities (Scotland)*. London: Equality and Human Rights Commission
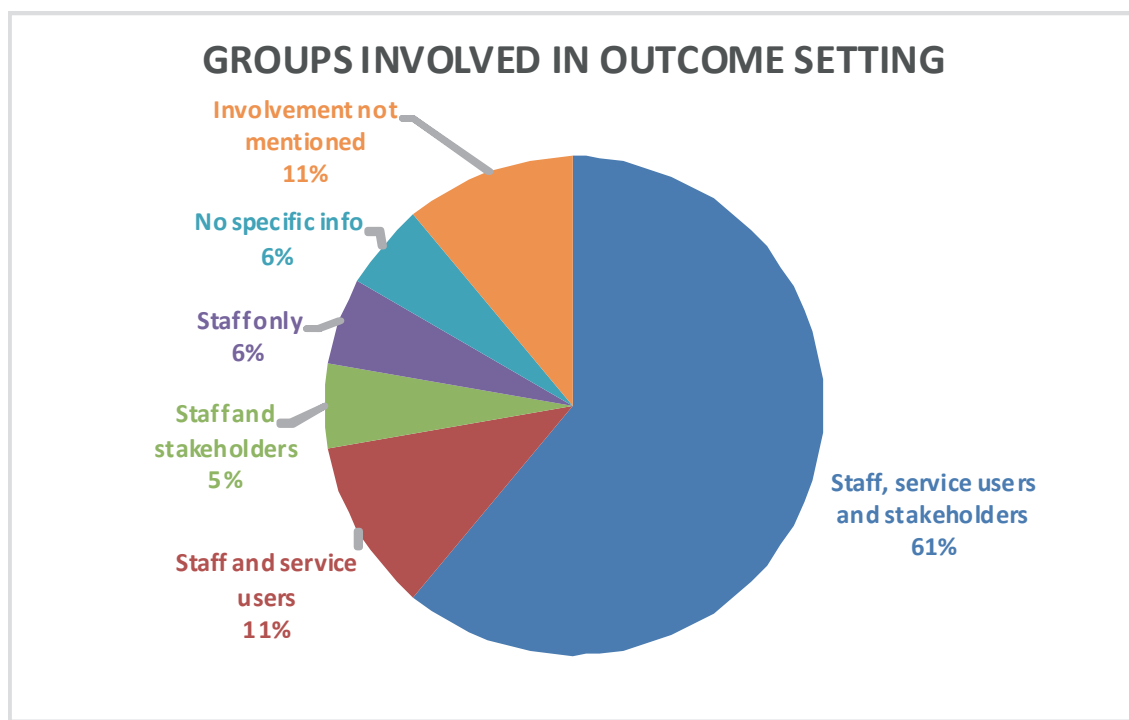
[13] Equality and Human Rights Commission (2012) *Involvement and the public sector equality duty: A guide for public authorities (Scotland)*. London: Equality and Human Rights Commission

There is no requirement to publish information on how this has been done, although the non-statutory guidance on involvement points out that "it is important that you are able to demonstrate that you have taken reasonable steps to involve people with all protected characteristics, so planning how to record your involvement exercises and the results they produce will be critical in enabling you to support and explain decision-making."[14] In practice, 16 out of 18 organisations in the study referenced involvement activities to some degree.

Of those which referenced involvement in outcome setting, all but one mentioned this in the outcomes document itself, with the other raising it within the mainstreaming report. The majority said that they had involved (or consulted with) a mixture of staff, service users and external stakeholders such as local equality organisations. Two involved staff and service users only, one staff and external stakeholders only and one only staff. One gave no information on the type of involvement. A breakdown can be viewed at figure 6.

The level of detail given about involvement varied widely, from a simple sentence stating that the outcomes had been produced with involvement from certain groups to a very in depth breakdown of methods and issues identified in one case.

Figure 6

GROUPS INVOLVED IN OUTCOME SETTING

- Involvement not mentioned 11%
- No specific info 6%
- Staff only 6%
- Staff and stakeholders 5%
- Staff, service users and stakeholders 61%
- Staff and service users 11%

Few organisations provided information about what stage of the outcome setting process involvement began from. The non-statutory guidance suggests that involvement should take place:[15]

- At the beginning of the decision-making process: to gather opinions, evidence and ideas

- When developing options and making your decision: to find out the perceptions, views and preferences of equality groups and communities and use this information to develop and weigh up different options and come to a final decision

- After equality outcome publication: to review performance, evaluate and act on any findings

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[14] Equality and Human Rights Commission (2012) *Involvement and the public sector equality duty: A guide for public authorities (Scotland)*. London: Equality and Human Rights Commission

[15] Equality and Human Rights Commission (2012) *Involvement and the public sector equality duty: A guide for public authorities (Scotland)*. London: Equality and Human Rights Commission

In order to fulfill the requirement to use evidence from involvement in the outcome setting process, it would be advisable for organisations to follow this suggested pattern of involvement. However, anecdotally CRER is aware that many public bodies have interpreted the requirement to involve more loosely than this, instead consulting on a near-final draft of their outcomes. Unless there are a) sufficient attempts to draw out additional issues from internal and external stakeholders and b) significant revision of the draft outcomes to take account of results of involvement, this approach is unlikely to meet the requirements of the duties.

Another requirement is that all protected characteristics should be considered through involvement. Again, there is no obligation to report on the extent to which this has been done. Due to the fact that many forms of involvement are aimed at a mixed group, whether in terms of staff or service users, it is often difficult to see from the documentation whether all protected characteristics have been covered or not. Without either undertaking monitoring within non-specific focus groups or significant involvement from external stakeholders representing specific protected characteristics, organisations may find it challenging to establish this.

Two organisations have not been included in this part of the analysis because, although part of a joint set of outcomes with a third organisation, there was no clear evidence of involvement on issues relating to their organisations. In the other case where outcomes were shared between organisations, it was easier to see how involvement activities linked to each one, so these have been registered separately for this analysis.

From the information given in outcomes documents, the exact spread of protected characteristics covered by involvement was rarely clear. However, many organisations had given some degree of information regarding this (see figure 7). For the 16 organisations which gave some information on involvement, four did not specify any protected characteristics. A further eight gave a mixture of information which specified some protected characteristics for some activities, but described other activities without reference to characteristics.

For those organisations which did mention protected characteristics, none of them covered every one. The maximum number referenced was six, and as described previously the minimum was zero.

Figure 7

NUMBER OF PROTECTED CHARACTERISTICS MENTIONED IN INVOLVEMENT

6 — 15%
0 — 31%
1 — 15%
3 — 8%
4 — 31%
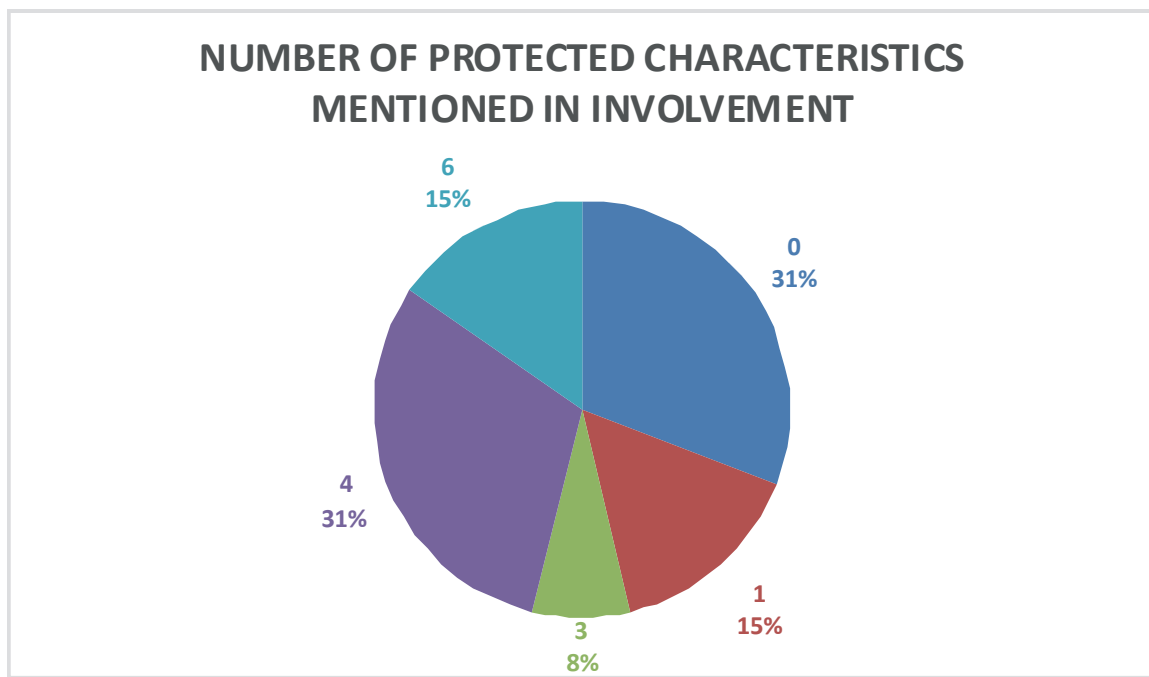
Looking at all of the documents as a group provides a clearer picture of the spread of protected characteristics described as being involved in the outcome setting process. Disability was by far the most mentioned protected characteristic, and as with the mainstreaming report, there was a lack of attention to pregnancy and maternity (which in this case was not mentioned by any organisation).

The number of documents mentioning each protected characteristic can be seen at figure 8.

Figure 8
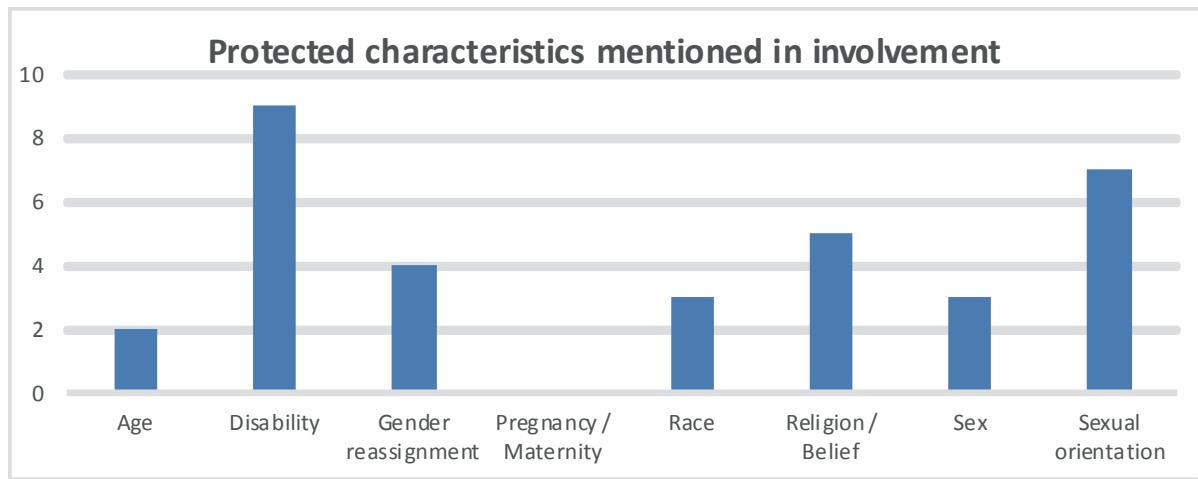
Organisations seeking to further develop their approach to involvement may wish to use Scotland's National Standards for Community Engagement[16] to inform a best practice approach.

Evidence

The specific duties require authorities to consider relevant evidence relating to persons who share a relevant protected characteristic in setting their outcomes. This includes, but is not limited to, the evidence gathered through involvement activities.

This part of the analysis aimed to look specifically at evidence which had impacted outcome setting. Some statistical and contextual evidence has not been counted as evidence here because it had been quoted or listed but not used in the development of the outcomes. Some organisations chose to list sources of evidence consulted in developing the outcomes but without explaining what elements impacted the outcome setting process, and these were not considered as part of this analysis.

Of the 16 organisations which could be included in this part of the analysis, two have been set aside due to the issues described at page 19. Of the remaining 14, ten organisations provided some details of the evidence used in outcome setting. In one of these cases, however, the evidence
described was not clearly related to any particular protected characteristics. One organisation set out a particularly clear evidence base, covering every relevant protected characteristic in some detail. The remainder covered a varied selection of characteristics to varying degrees. The full breakdown of numbers of protected characteristics mentioned in evidence by organisations can be seen at figure nine..

As with involvement, whilst there is an obligation to consider evidence relating to each protected characteristic, there is no requirement to publish information detailing how this has been done. Nonetheless, most organisations outlined some information on this.

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[16] Available from the Scottish Community Development Centre: http://www.scdc.org.uk/what/national-standards/

Figure 9 demonstrates the extent to which each protected characteristic was referenced. The spread of protected characteristics covered in the documents as a whole provides an interesting comparison with the spread of characteristics covered in relation to involvement.

For example, whilst race and sex were not as widely mentioned in relation to involvement as religion and belief and sexual orientation, in terms of the wider evidence base this trend is reversed. This could be seen to reflect suggestions in the non-statutory guidance on evidence that, where documented evidence for a particular characteristic is lacking, an extra emphasis on involvement may be appropriate - "seeking the views of experts, equality groups and communities through involvement will often help to provide further evidence."[17]

Figure 9
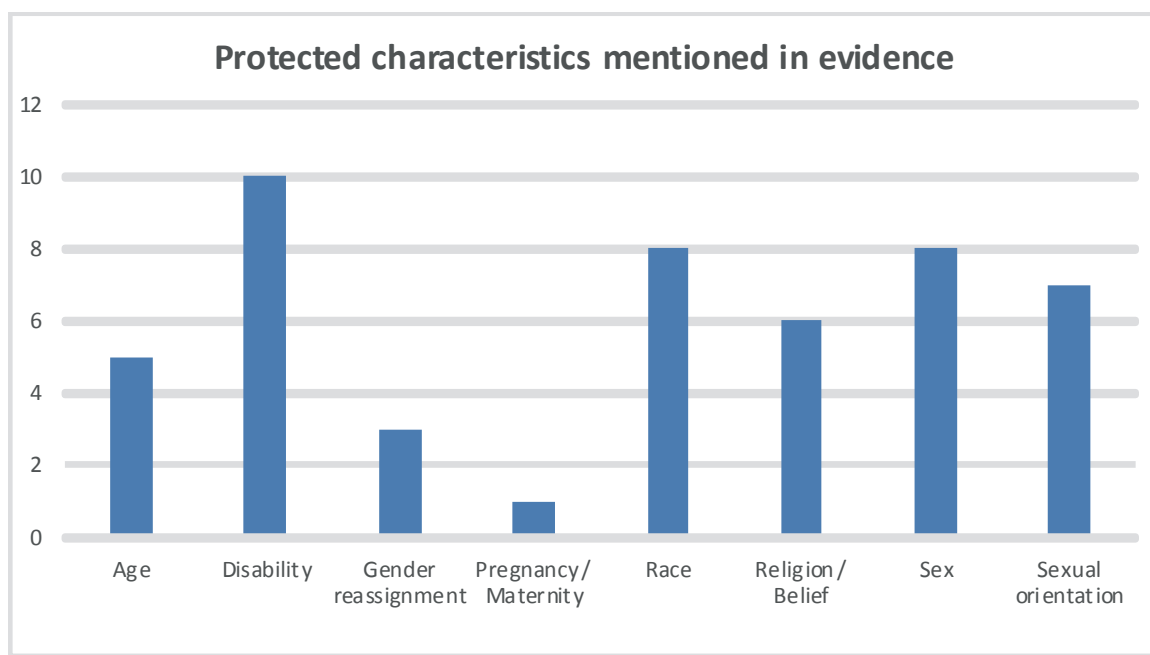
The vast majority of organisations identified one or more evidence gaps within their publications. Identifying and addressing gaps is a key part of the approach to evidence gathering set out in the EHRC Technical Guidance, as it is arguably impossible to prioritise outcomes effectively without a solid evidence base.

However, of equal concern is the need to set outcomes based on the evidence gathered. In many cases, organisations in this study had identified inequalities somewhere within their PSED publication suite, for example in the mainstreaming report, yet failed to set an outcome to address them.

The limited evidence set out in many of the publications made it difficult to draw direct comparisons between outcome and evidence base. Nevertheless, in several cases discrepancies could be identified, for example where employment or service user monitoring data showed under-representation there was rarely an outcome on this (positive action in general was lacking from the spread of outcomes, despite its potential value being outlined within the Technical Guidance[18]).

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[17] Equality and Human Rights Commission (2012) *Evidence and the public sector equality duty: A guide for public authorities (Scotland).* London: Equality and Human Rights Commission

[18] Equality and Human Rights Commission (2013) *Equality Act 2010: Technical Guidance on the Public Sector Equality Duty (Scotland)*. London: Equality and Human Rights Commission

Good Practice Case Study: Evidence

As part of the introduction to its Equality Outcomes, an organisation sets out briefly the evidence it has gathered on each protected characteristic using internal and external data, results of involvement exercises and other research. It identifies evidence gaps and future options for filling these gaps. The tables setting out the Equality Outcomes include a column referring to the sections on protected characteristics, making it easy to see how the evidence has been used in setting each Outcome.

Key learning points:

- Linking outcomes to the evidence base used in forming them increases transparency

- It may be useful to set out evidence gathered for each protected characteristic, and to detail how evidence gaps might be filled

- The duty on equality outcomes requires involvement from an early stage, covering all protected characteristics, and the results must be used in setting outcomes; a superficial consultation exercise is not enough to fulfil this

Analysis of outcomes

Structuring the outcomes

The structure of the equality outcomes set by organisations was one of the weaker areas identified in this study. Much of this weakness centred on a failure to reflect the purpose of the legislation. This was not helped by a lack of statutory guidance on outcome setting, and may in some cases have been exacerbated by overly flexible interpretations of the non-statutory guidance (discussed further on page 25.

Equality outcomes should aim to tackle the most pressing inequalities the organisation has identified. The intention is not to set out every single thing the organisation intends to do on equality; mainstreaming reports can address that wider picture more successfully. Arguably however, this is the way they have been approached by many of Glasgow's public bodies, with the result that outcomes are often highly process focussed.

This adds up to a lot of potential activity, some of which is of dubious relevance to the evidence base needed to set the outcomes. Links to actual inequalities which require a better outcome are often weak and exploration of how this activity will change people's life experiences (rather than simply changing processes within the organisation) is often non-existent.

Number of Equality Outcomes

There is no prescribed number of equality outcomes, and no prescribed level of detail for outcomes publications (although helpful examples are provided in the non-statutory guidance). As a result, in practice the sets of outcomes published by public sector bodies in Glasgow varied widely.

In this part of the analysis, all 18 organisations which published an outcomes document or were included in one have been included separately for statistical purposes. As noted previously there are two groups of organisations which share outcomes (three separately listed organisations in each of these two groups). It is possible to separate outcomes to a degree in one of these groups, where each party subject to the duties has a distinct remit, so outcomes have been recorded for each of these individually.

The other group of three have identical outcomes, but as their remits are very similar, these have been treated as applying to each organisation in the group equally.

There was no obvious correlation between the number of outcomes set and the size or role of organisations, except perhaps in the case of the organisation with the lowest number of outcomes (two) which was a small organisation with a limited remit. One organisation included in a combined set of outcomes had no identifiable outcomes relating to it.

The largest number of outcomes from any one authority was 12. Most organisations were clustered around the middle of this scale, with six being by far the most popular amount (seven organisations in total set six outcomes each). An overview of the number of outcomes set by organisations in Glasgow can be seen at figure 10.

Figure 10

NUMBER OF OUTCOMES SET BY ORGANISATIONS

Pie chart:
- 0 to 4: 15%
- 5 to 8: 60%
- 8 to 12: 25%
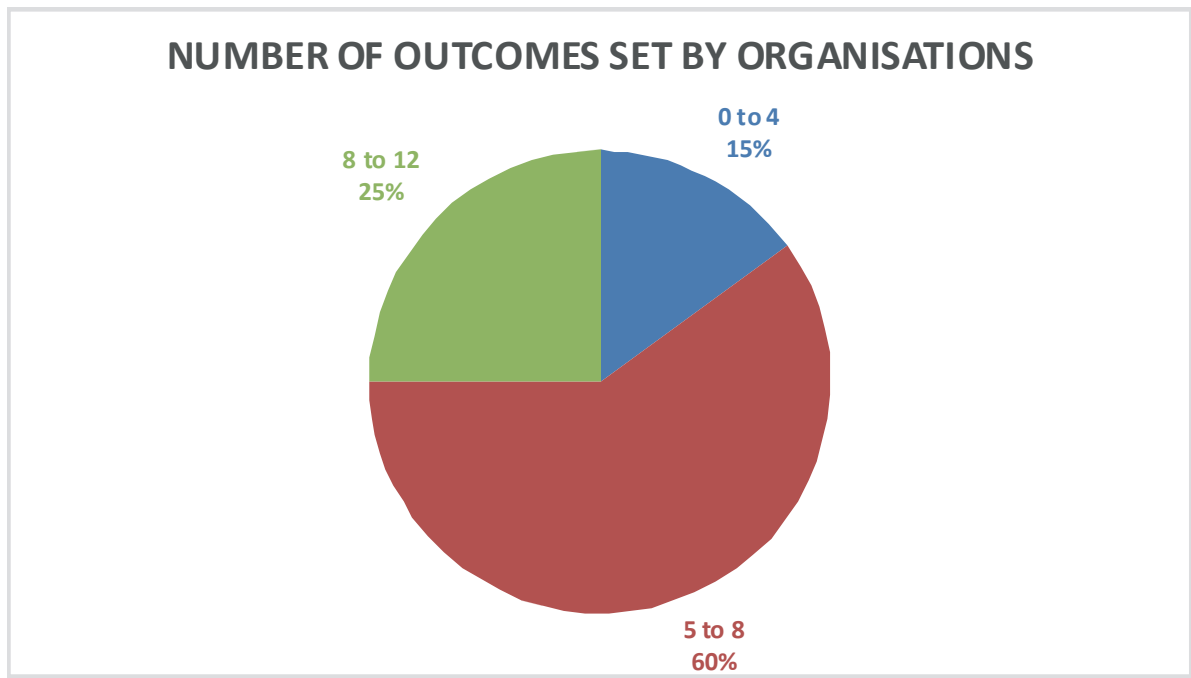
Good Practice Case Study:

Equality Outcome Structure

In this study, the Equality Outcome structures which were easiest to understand and best demonstrated compliance tended to follow a format which detailed the following information for each Outcome:

- Which 'need' and protected characteristic(s) it relates to

- A brief summary of the evidence behind setting it

- The outputs or actions needed to achieve it

- Measurements of progress (ideally including timeframes and targets)

Some publications also included organisational information which would be useful in progressing each outcome, for example details of responsibility for the outcome or links to other areas of work or strategic planning.

Outcomes, outputs and actions –

Meeting the definition of an Equality Outcome

The EHRC non-statutory guidance[19] explains that outcomes should describe "a result which you as an authority aim to achieve in order to further one or more of the needs mentioned in the general equality duty", and must be specific, measurable and achievable. The guidance states that "In practice, you might find it helpful to think of equality outcomes as results intended to achieve specific and identifiable improvements in people's life chances". The degree to which the outcomes set reflect this guidance varied greatly throughout the sample in this study.

Our analysis considered the extent to which outcomes could be said to meet a range of basic quality criteria. In particular, it explored:

- Whether the outcomes met the definition of an outcome described above
- Whether they were too generic to meet that definition
- Whether they were specific and measurable
- Whether they would assist in progressing the General Duty beyond reflecting existing basic equality law requirements

Assessing whether individual outcomes could be said to meet the definition given in the guidance was problematic due to the differing approaches and structures in each set of outcomes. The difference between the nature of these outcomes and the actions or objectives which may have been used under the previous equality schemes approach are explicit within the guidance.

Nevertheless, a number of the outcomes analysed in this study were overly focussed on actions or outputs rather than results and therefore could not be said to meet the requirements of the duties. A great many more were of dubious relevance, but were recorded as meeting the definition of an outcome because the non-statutory guidance arguably appears to allow for outcomes which make a change to the organisation itself in pursuit of achieving improvements in people's life chances: "Outcomes are the changes that result for individuals, communities, *organisations* or society as a consequence of the action you have taken." The guidance also provides examples of outcomes which describe a change in the approach an organisation takes.

In cases where the impact can be easily deduced from the wording of the outcome, this is not necessarily a problem. In the guidance, the example outcome "Our organisation is responsive to the needs of LGBT staff" may relate to a change the organisation makes but it is easy to see which group will be affected and how, and it should be possible to use a staff survey to create a baseline from which to measure progress. Crucially, it is also possible for the organisation to be flexible in how it goes about achieving that outcome rather than encouraging reliance on a particular set of organisational processes.

However, in practice most outcomes taking an organisational focus do not follow this model. Outcomes stating, for example, that the organisation will ensure staff carry out equality impact assessments were not uncommon. These are insufficient as they do not demonstrate a change the organisation wishes to see in its impact on people's lives.

This was a serious concern, both due to the volume of organisations utilising this arguably flawed approach and the extent to which it was used within organisations. In one notable case, whilst two thirds of an organisation's outcomes were assessed as meeting the definition, every one of these related to changes within the organisation rather than improvements in people's life chances.

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[19] Equality and Human Rights Commission (2012). *Equality outcomes and the public sector equality duty: A guide for public authorities (Scotland).* London: Equality and Human Rights Commission

An excessive focus on organisational changes was evident in the vast majority of outcome publications. Although this trend is difficult to measure due to the varied means of expressing organisationally focussed outcomes, it is estimated that up to 40% of the 114 outcomes included in this study were more geared towards organisational changes than changes for people with protected characteristics.

More broadly, the full range of criteria which resulted in some outcomes being assessed as not adequately meeting the definition included:

- Outcomes which purely related to a process or output and were unlikely to result in any change in people's life chances

    o For example, reviewing an equality monitoring process

- Generic outcomes which could bring about a benefit for everyone but did not relate in any way to the needs of a protected characteristic group or to any of the three 'needs' of the general equality duty

    o For example, improving career progression opportunities for all staff in general

- Broadly worded outcomes which did not match up with the range of actions ascribed to them and were therefore not specific

    o For example a very generic outcome about creating a culture of respect would need to have linked actions demonstrating how this would be done to make it specific; if the actions instead focussed largely on unconnected processes like equality impact assessment and data collection, it would not meet the definition

- Outcomes for which progress could not conceivably be measured

    o For example, a basic commitment to meet the needs of staff and service users would be very difficult to measure without further detail of what action would be taken and what baselines and measurement processes could be used to ascertain success

- Outcomes which consist of activities which the organisation already undertakes, or has completed

    o For example, including producing the set of outcomes as an outcome in itself; or including continuing with an existing approach to supporting staff or service users as an outcome with no indication of how this will improve things beyond the existing positive impact

Where appropriate, some weight was given to the broader context given around the outcome (for example associated actions or evidence). This provided flexibility in situations where the basic wording of the outcome appeared insufficient but became clearer in light of the accompanying text. It should be noted that failure to meet the definition does not necessarily mean no benefit will be derived. It is likely that some badly defined outcomes will be well implemented, whereas some exemplary outcomes will not. Future progress reports should help to establish this.

Nonetheless, for future outcome development, close attention to the definitions and descriptions laid out in the guidance is recommended. The attempt made by the new outcomes duty to break away from the process focus of the old equality schemes seems to be lost in translation in the majority of outcomes set in this first round, missing the opportunity to capture the impact organisations want to make to people's life chances.

A lack of clarity in the wording of outcomes was another concern raised in analysis, particularly the prevalence of very broadly worded outcomes which made it difficult to see the intended result. Eight of the organisations set at least one outcome which were arguably too generic to fit the requirements of the specific duties; in one case all but one of the outcomes was very generic.

Some organisations worded their outcomes in ways which could not be described as specific or measureable; two of these had entire sets of outcomes which were not specific or measurable. Many of these were also generic; lack of detail on what the outcome aimed to accomplish made it difficult to see what it would achieve or how progress could be measured. Only eight organisations set any outcomes with specific (for example percentage based) measurable targets. Although this is not the only approach which may help to demonstrate progress, it does provide a degree of clarity and it would therefore be expected that organisations would make greater use of such targets.

A particular concern identified through the analysis related to confusion between activity which helps to meet the general duties and activity which simply describes basic legal compliance. Although this is not the most worrying trend in legal terms, it is extremely prevalent and deserves some exploration.

Provided they are not purely bureaucratic actions, outcomes along these lines will meet the definition of an outcome as they will assist in meeting a need for one or more protected characteristic groups. However, it could be argued that they are less useful than a person centred approach as they go no further than the basic compliance with the Equality Act 2010 which is required of organisations anyway. For example, these outcomes may be around addressing the gender pay gap, continuing to equality impact assess new policies or a general commitment to eliminate discrimination. Again, eight organisations (with some overlap between this and the previous concern) had set at least one outcome which demonstrated this.

Looking at the issues explored above in the broader context, across Glasgow's public authorities, provides some indication of the extent of these problems. Figure 11 demonstrates that, although the majority of the 114 outcomes analysed meet the basic criteria which could be expected based on the EHRC guidance, there is significant room for improvement. In particular, organisations may wish to consider whether their outcomes are focusing on the results which would progress the 'needs' of the general equality duty beyond simple organisational compliance with wider equality law.

Figure 11

How well do outcomes meet CRER's basic quality criteria?
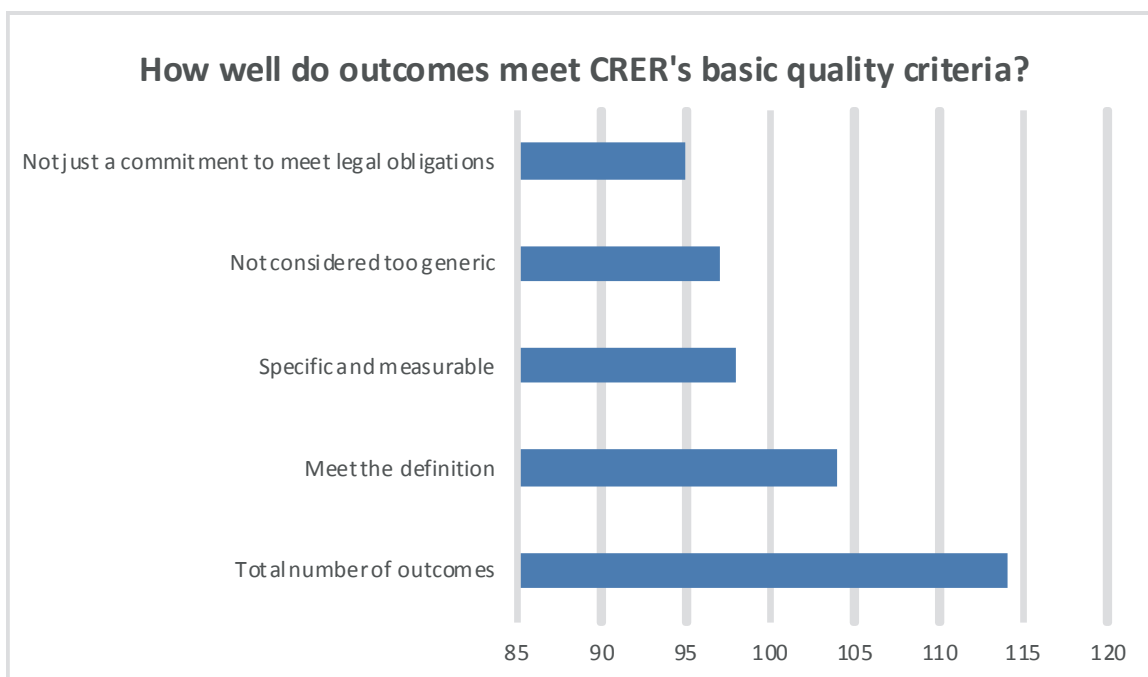
Outcomes should reflect organisations' remits both as employers and as service providers. In light of this, the majority of outcome sets reflected both of these remits. Just one included outcomes for service provision only, whilst a further one was slightly unclear due to issues around combined outcome setting. However, the overwhelming focus across the range of outcome documentation was on the service provision element. In most cases the level of outcome setting for the employment function was perfunctory. It is therefore suggested that organisations carefully consider the evidence gathered for both employment and service provision functions to ensure inequalities in employment are not being neglected in future outcome development.

Coverage of protected characteristics and 'needs'
Organisations are required to ensure that outcomes relate to one or more of the protected characteristics and 'needs' of the general equality duty. Each protected characteristic must feature somewhere within the set of outcomes, unless an organisation has evidence to justify not including a particular characteristic (in which case this justification must be provided).

No organisations in this study provided a specific justification for not including a protected characteristic. This may be partly because organisations have discovered a way around the need to provide such a justification - the ability to set outcomes applying to all protected characteristics has been widely used by the organisations in this analysis and ensures that each protected characteristic is covered in theory.

The success or failure of this approach will be evident when organisations come to report progress on these outcomes, as without defined activity to create improvement for each protected characteristic group it may be that only a few groups actually benefit. The outcome will therefore have failed in benefiting all protected characteristics. For this reason, the interpretation that having at least one outcome which covers 'all' (however tenuously) meets the requirements is often counterproductive. Caution is advised in using this approach as part of future outcome development. Organisations should ensure that each protected characteristic linked to an outcome has a realistic chance of benefitting from it, and consider how this can be achieved and measured.

Figure 12 shows how many protected characteristics were mentioned by which proportion of public sector bodies in the study. Two organisations did not mention any protected characteristic, instead taking the cover-all approach described previously. A further three mentioned only one. In total, half of the sample mentioned two or less protected characteristics. At the high end of the scale, two organisations mentioned seven of the possible eight protected characteristics.

Figure 12

NUMBER OF PROTECTED CHARACTERISTICS MENTIONED IN OUTCOMES

- 0 — 16%
- 1 — 25%
- 2 — 8%
- 4 — 17%
- 6 — 17%
- 7 — 17%
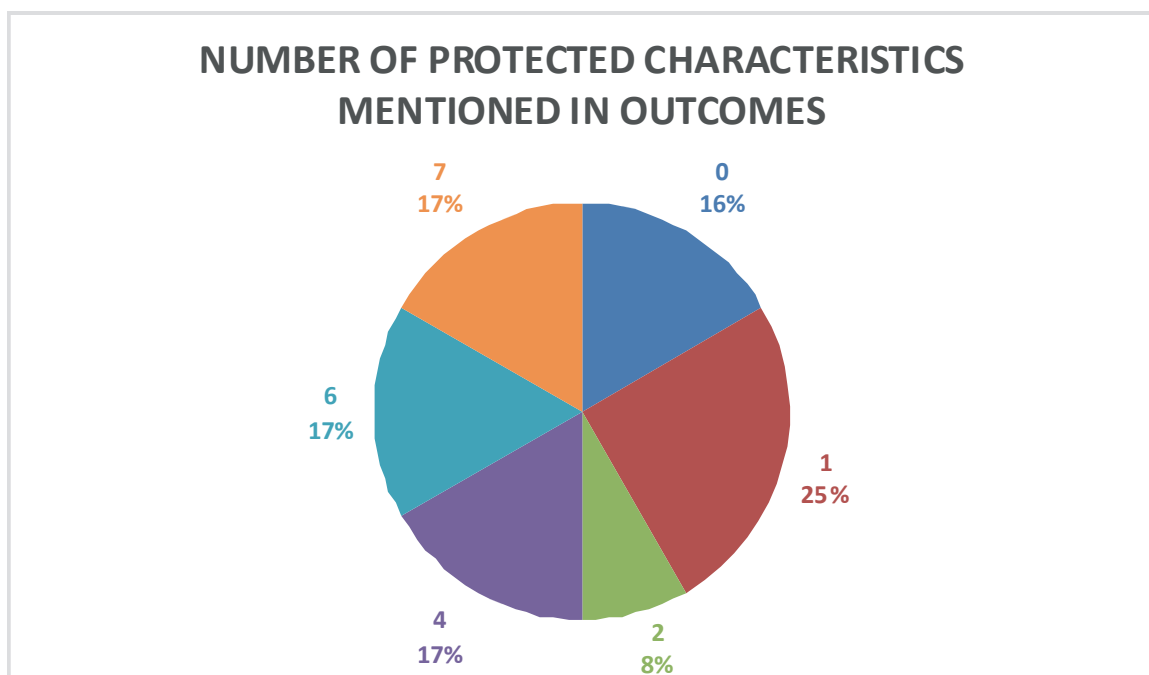
Looking at the range of protected characteristics mentioned within the outcomes, figure 13 shows the number of times each protected characteristic was mentioned within the overall body of 114 outcomes set by Glasgow's public bodies. It demonstrates that disability was by far the most mentioned protected characteristic with 32 mentions across 18 reports, and pregnancy and maternity the least with only one mention. Gender reassignment and sexual orientation were also particularly poorly represented.

Figure 13
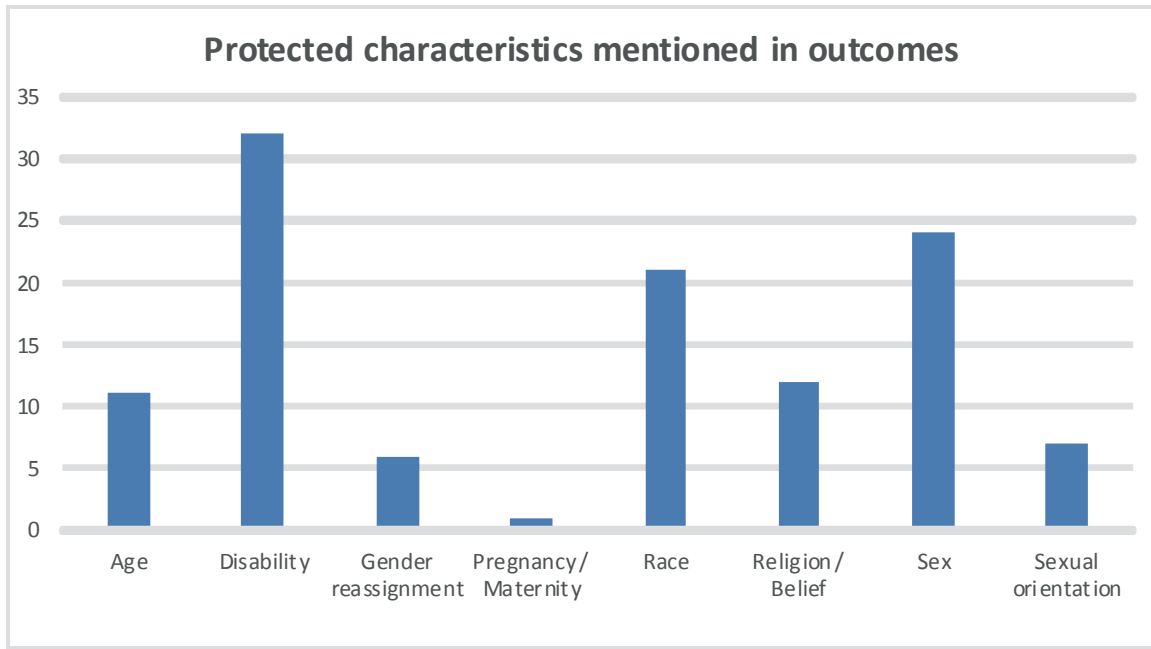
In most cases, these protected characteristics were not the subject of a dedicated outcome aimed at combating disadvantage for that group alone. The vast majority of outcomes referenced more than one protected characteristic, as seen at figure 14. Of 114 total outcomes in the study, only 23 were dedicated to a specific protected characteristic.

Figure 14
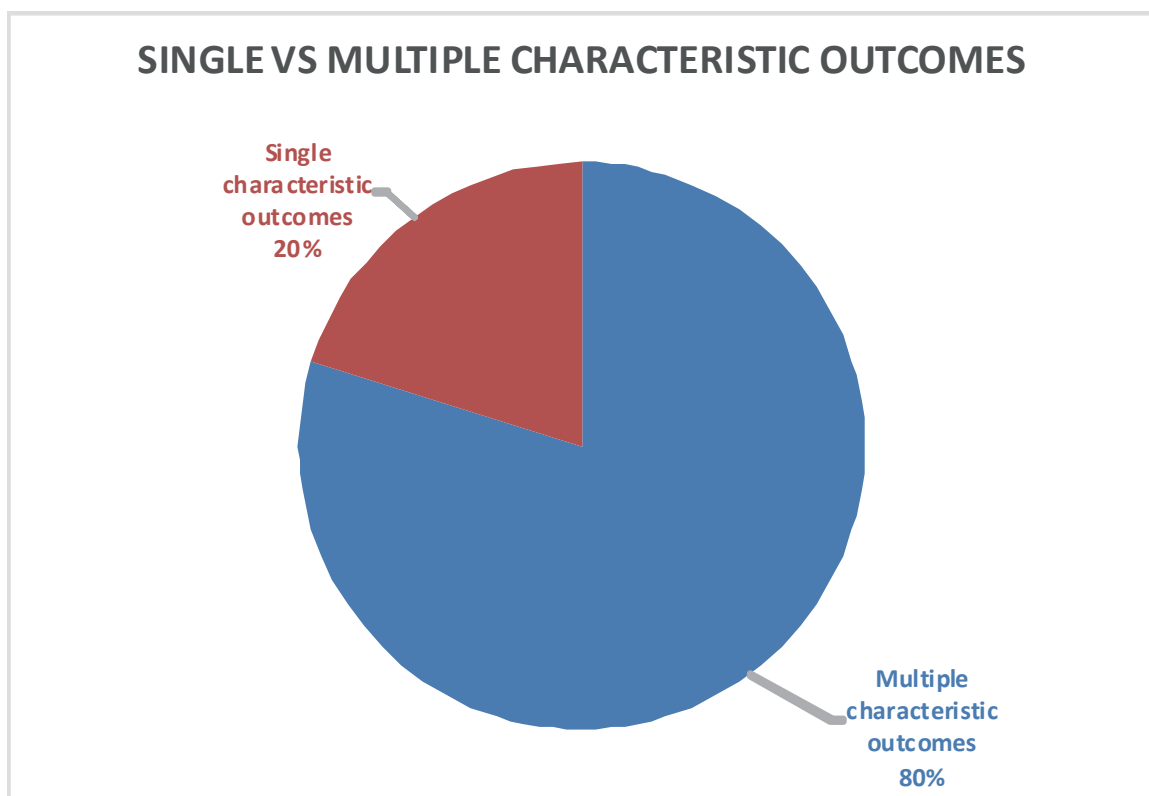
Breaking this down further, figure 15 demonstrates that some protected characteristics were far more likely than others to be the subject of a dedicated outcome. No organisations had an outcome which only applied to sexual orientation, pregnancy and maternity or gender reassignment. The only 'strand' with a significant number of outcomes specifically aimed at one characteristic was disability.

Figure 15

Outcomes on one characteristic or multiple characteristics
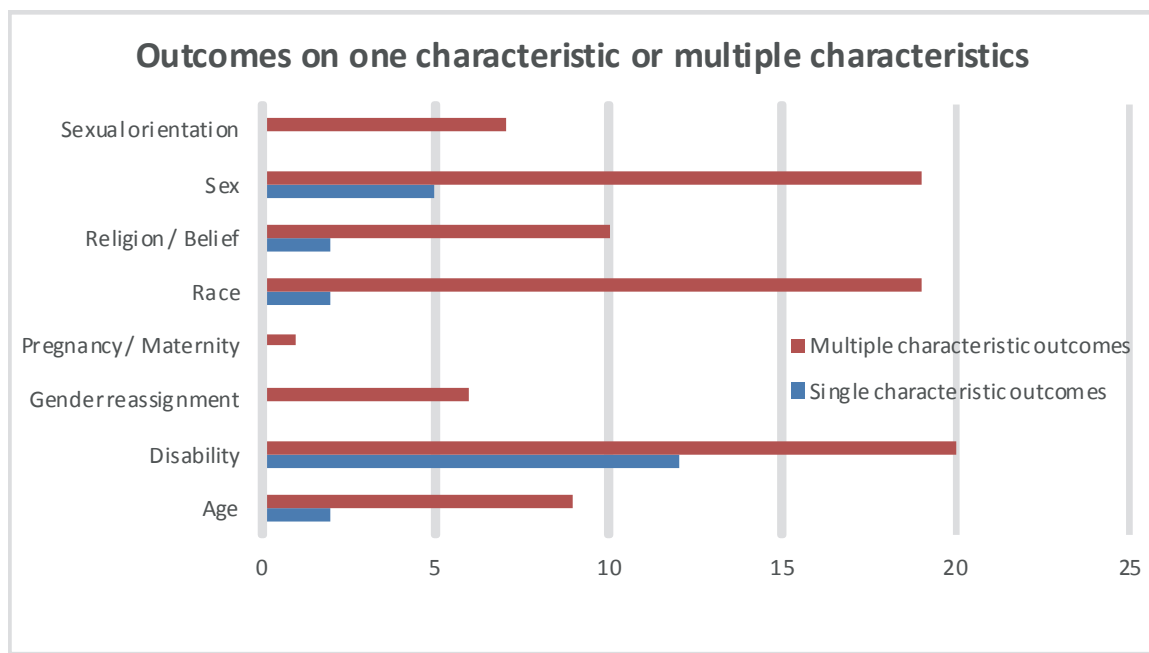
Some organisations in the study structured their outcomes in a way that made the 'needs' and protected characteristics involved easy to identify, for example by grouping the outcomes by need and listing the protected characteristics which apply to each outcome. This significantly helped in demonstrating the intended impact of the outcome, and made the level of compliance with the duties clearer.

Figure 16 explores the degree to which each 'need' of the general equality duty was linked to each protected characteristic, looking at the overall content of the outcomes rather than on an organisational basis. Because this link was not made clear in every case, the sample here is quite small, hence the need to look at the overall body of outcomes. Arguably, the low numbers are a finding in themselves given that meeting the needs for each protected characteristic is the key purpose of the outcomes duty.

Eliminating discrimination, harassment and other prohibited conduct was mentioned in connection with all but one of the protected characteristics to varying degrees. Advancing equality of opportunity was more frequently cited, with every protected characteristic being mentioned in connection with this at least once. Fostering good relations was poorly covered, linking specifically to only half of the protected characteristics (sex, religion and belief, race and disability).

The best covered area in the study by far was advancing equality of opportunity on the grounds of disability, accounted for largely by accessibility measures. In relation to advancing equality of opportunity on the grounds of sex, equal pay and gender segregation issues were also a factor.

Further explanation of the themes emerging from the outcomes can be found at page 33.

Figure 16

'Needs' covered for each protected characteristic
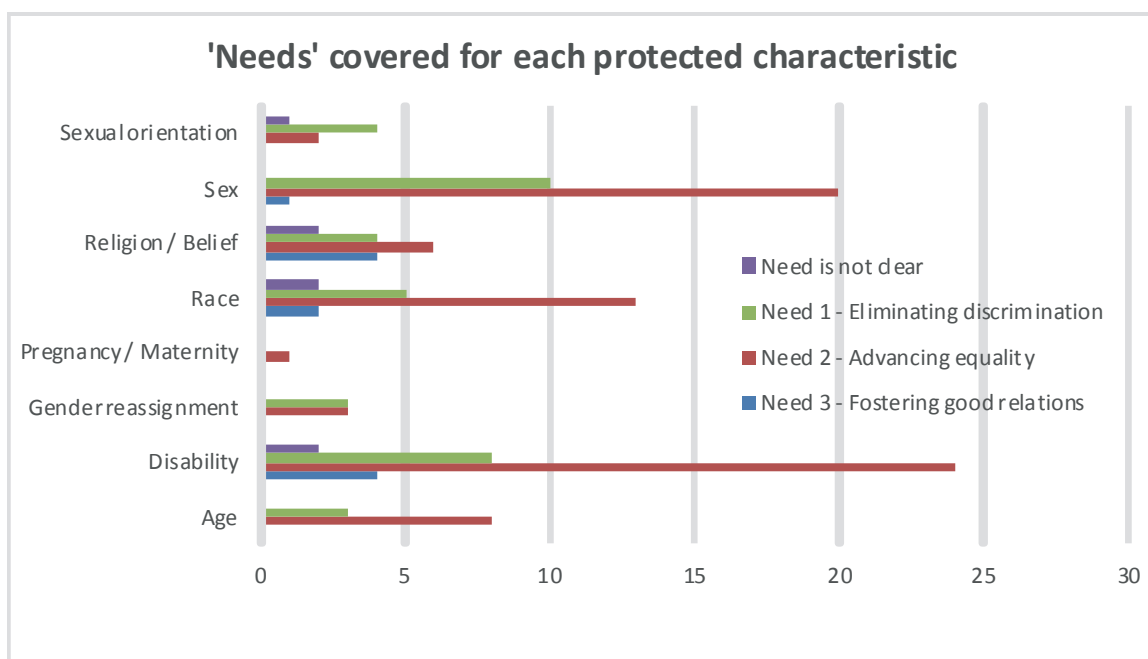
As detailed at figure 16, in a number of cases the need being addressed was not clear; this was particularly observed for outcomes on the protected characteristics of sexual orientation, religion and belief, race and disability. Figure 17 further demonstrates that in many cases, although the need being covered was clear, the protected characteristic was not. Again, advancing equality of opportunity was by far the most cited, followed by eliminating harassment and fostering good relations. In a small number of cases, neither characteristic nor need was clearly demonstrated, creating a strong likelihood that the requirements of the duty have not been met.

Figure 17

'NEEDS' COVERED WHERE CHARACTERISTIC IS UNCLEAR
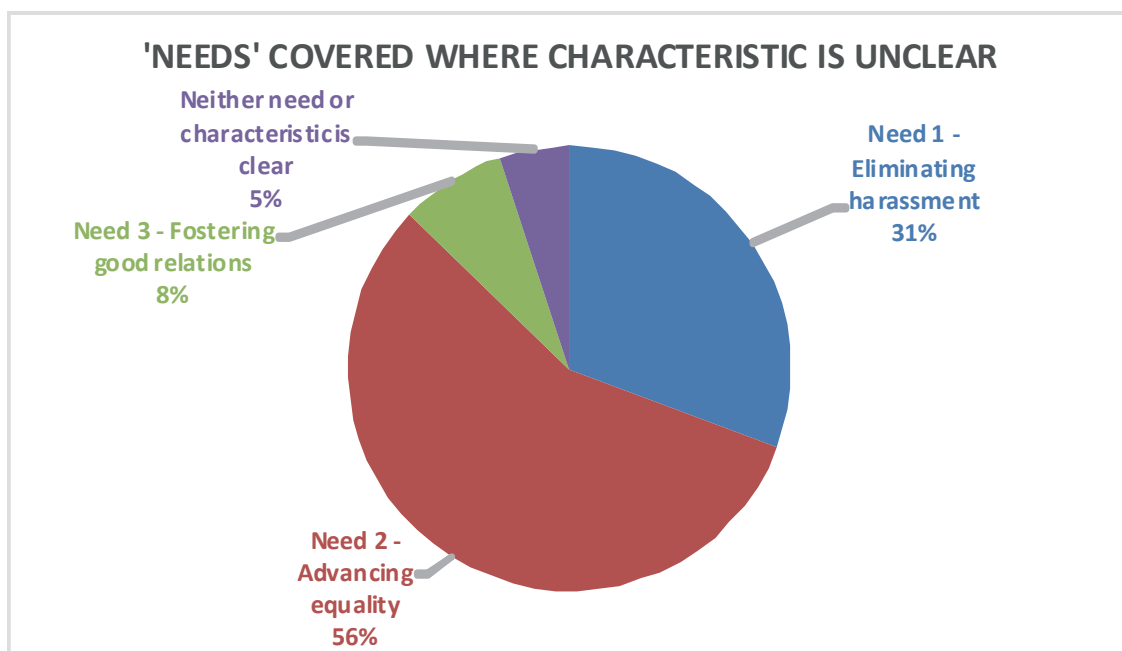
Aside from issues of coverage of needs and protected characteristics, organisations demonstrated varying levels of apparent understanding of the inequalities faced by protected characteristic groups. It was easier to see that a depth of understanding had been utilised in setting the outcomes where organisations explicitly linked the evidence gathered on inequalities to each outcome.

Worryingly, however, statements demonstrating a lack of understanding of the protected characteristics were evident within some of the outcomes publications. For example:

- Conflating sexual orientation and gender reassignment where the benefit of the outcome was only for one of these groups (this becomes particularly problematic where it reinforces stereotypes around the connections between these groups)
- A statement to the effect that only the protected characteristics of age and sex apply to everyone, whereas legal protection also applies to everyone on the grounds of race, religion and belief and sexual orientation
- Outcomes which aim at improving something 'regardless of protected characteristic', which in effect would make no difference to equality or could in fact strengthen inequality by not considering the needs of protected characteristic groups

Achieving outcomes and measuring progress
As previously mentioned, a lack of measurability was a major concern in relation to many of the outcomes set. Organisations had a tendency to try to fit as many 'needs' and protected characteristics as possible into each outcome, even where it seemed unlikely that these impacts could be created in the context of that outcome. This creates difficulties in measuring progress because the intended effect laid out in the outcome document may be unattainable in practice. An example of this would be an outcome on procurement committing to ensure that all contractors provide statistical evidence of diversity across the whole range of protected characteristics, including areas such as pregnancy and maternity and gender reassignment which small private sector businesses may not be able to evidence and without regard for the privacy implications of this.

The enhanced focus on measuring progress and gathering evidence in the new duties was welcomed by equalities organisations partly because this could help to address the poor practices often followed under the old race, sex and disability duties. In our experience, many public sector organisations previously created equality schemes based on a flawed understanding of the issues at hand and an overly optimistic view of their own internal willingness or ability to fulfil the commitments made. This made it inevitable that progress could not be measured, or alternatively would be measured and found to have failed.

Several of the sets of outcomes examined here showed signs that they might fall into this trap. At the extreme end of this, two organisations pledged to engage with equality structures or organisations which do not exist, which (aside from demonstrating poor knowledge of the representatives they have a duty to involve and a lack of care in the outcome setting process overall) makes identifying success on that specific issue impossible. In many cases, overambitious outcome setting was linked to the trend of setting generic outcomes; for example aiming to ensure that discrimination and harassment are eliminated generally without exploring which groups appear to be facing it and so would benefit most, or how this might be approached.

Overall, all but one of the organisations in this study gave some indication of how progress on outcomes would be measured (for at least a selection of the outcomes). Over a third of those provided fairly detailed information. The best examples provided a range of measurement options for each outcome which could provide both quantitative and qualitative data.

Only one organisation in the study provided specific information on how the outcomes would be resourced. Arguably, linking outcomes to the specific budgets from which they must be resourced would make it easier to both achieve the outcomes and to monitor progress, allowing the organisation to clearly see whether the expected resourcing had been carried out as planned.

Key learning points:

- Aiming to tackle the most pressing inequalities uncovered through evidence gathering makes outcomes more focussed and effective

- Careful attention to the format outcomes are presented in makes them easier to understand (a number of suggested formats are provided in the non-statutory guidance)

- Organisations may wish to assess whether each proposed outcome is specific, measurable and achievable, particularly where outcomes aim to cover multiple characteristics or needs

- Outcomes must describe the change that will result from an organisation's actions, not the actions themselves

Notable themes within the outcomes

In order to explore the main themes emerging within the outcomes, each outcome was cross-referenced with a set of categories loosely based on the critical areas of inequality set out in the EHRC's 2010 Triennial Review. The Triennial Review examined a wide range of research information on disadvantage and inequality for all protected characteristics within the Equality Act 2010. As a fairly definitive evidence base on equality issues across the board, the Review's categories provided a convenient foundation for analysing these outcomes.[20]

The categories used for analysis were:

Life – Including life expectancy, mortality rates, causes of death including suicide and homicide

Legal and physical security – Including issues for victims of crime, hate crime, gender based violence, fear of crime and other criminal justice subjects

Health – Including physical and mental health, issues related to specific health conditions, wellbeing, health improvement and treatment

Education – Including attendance, attainment, subject choice, additional educational support needs, language support in education, free school meals and bullying

Employment – Including employability, employment rates, occupational segregation, equal pay, employment rights, terms and conditions and workplace discrimination and harassment

Standard of Living – Including access to services, income, deprivation/poverty, housing, community relations and local environment

Care and Support – Including issues around access to care, issues affecting carers and childcare

Power and Voice – Including representation, engagement and influencing decision making processes

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[20] Equality and Human Rights Commission (2010). *How fair is Britain? Equality, human rights and good relations in 2010: the first triennial review*. London: Equality and Human Rights Commission

Due to the functions and roles of Glasgow's public sector bodies, some of these categories of inequality were understandably better addressed than others. The range of subsectors within the city's public sector also caused a certain amount of clustering around certain issues. The health category, for example, was not widely addressed but was of primary importance in the outcomes set by the local Health Authority; meanwhile the education category came through strongly in the analysis due to the relatively large number of Colleges and Universities in the sample.

None of the outcomes aimed to address inequalities in the life category. Aside from the Health Authority, four other organisations had outcomes with a health theme, primarily around support for mental health and wellbeing. Issues around caring were poorly represented, which is perhaps surprising considering the inevitable effects these issues have on the accessibility of educational and employment activities. Only three organisations had an outcome on caring issues. Whilst five organisations had outcomes in the power and voice category, largely relating to engagement with organisational decision making processes, all but one of these was not specific to any particular protected characteristic (disability being the focus in the remaining outcome).

The other four categories were significantly addressed within the outcomes set by Glasgow's public sector bodies. Outcomes on these themes which aimed to cover all protected characteristics were common, except for the theme of legal and physical security which was more likely to be tied to one or more specific characteristics.

The breakdown shown at figure 18 demonstrates several key themes emerging for protected characteristic groups in the outcomes. The long-standing protected characteristics of disability, sex and race were more strongly represented in relation to these themes on the whole than the other categories.

Education
As previously mentioned, the large number of Colleges and Universities within the sample meant that educational issues were extremely well represented. Much of the time, outcomes on education focussed on basic issues around access to education, retention and attainment, mostly for all protected characteristics (accounting for most of the outcomes relating to all characteristics in the study) but also to address race and disability related inequalities. Disability equality in education was one of the two most predominant characteristic-specific themes, alongside gender equality in employment. Gender segregation in subject choice and support for younger learners was the subject of outcomes for several institutions.

Employment
Inequalities on the grounds of sex were prominent in the employment category, with many outcomes relating to either workforce representation (particularly at senior management level) or equal pay. As previously mentioned, this was one of the strongest themes for a specific characteristic identified in the analysis. Access to employment was also a focus, including improving workforce representation in relation to race and disability, although not as strongly as it might have been given the prevalence of these inequalities. A single outcome on support for women taking maternity leave was the only outcome directly aimed at pregnancy and maternity in the sample. Much of the content on employment issues was generic, commonly relating to human resources processes or staff development.

Standard of living
Accessibility of services was by far the most prevalent issue in this category, and particularly disability accessibility. Issues around accessibility and sex, race (particularly language provision), age, gender reassignment and religion and belief were also mentioned in some outcomes. In many cases there was no detailed information given on what the accessibility issues were or how they would be tackled; it was simply stated that accessibility for the relevant group would be improved.

Legal and Physical Security
This was the only category for which outcomes for specific characteristics were more popular than outcomes covering all characteristics. For the main part, this appears to be due to the legal and policy definitions around violence and criminal aggravations. Gender based violence issues were prominent, and outcomes in this category for sexual orientation, religion and belief, race, disability and gender reassignment (all of which can be grounds for aggravation within hate crime legislation) related to hate crime prevention.

Figure 18 demonstrates the extent to which each of the themes were mentioned in terms of each protected characteristic.

Figure 18

Themes of outcomes for each protected characteristic
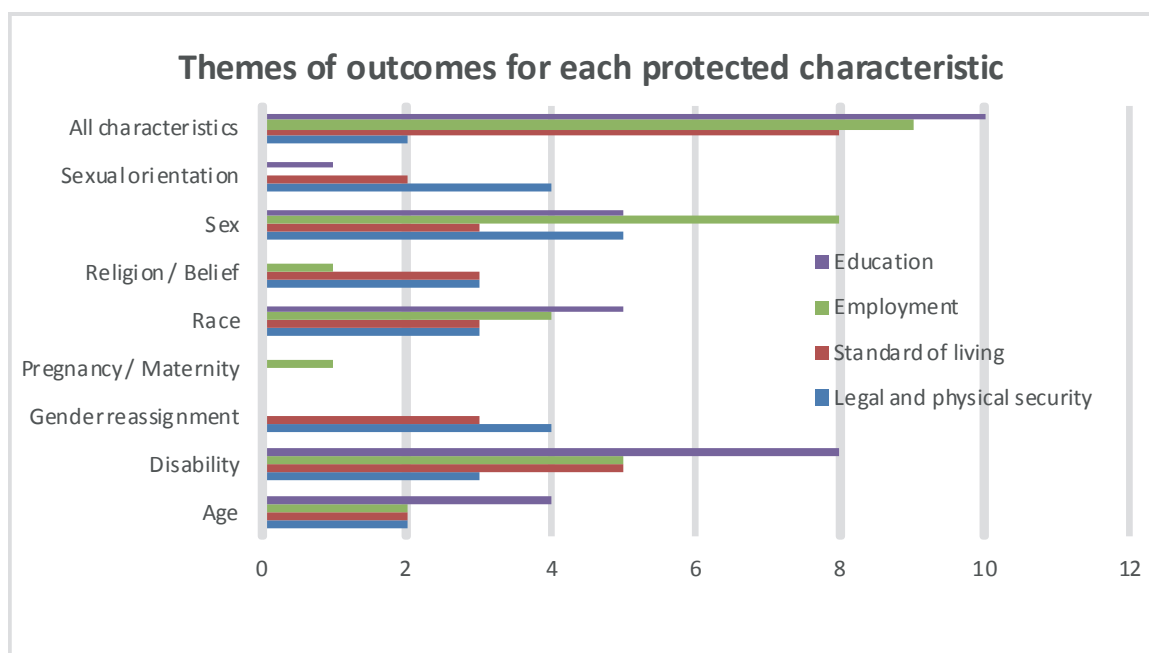
Additional themes
As previously mentioned, analysis identified a lack of focus on results which impact life chances in many of the outcomes. A great number were action or output driven and therefore did not fit into categories of inequality, instead relating to changes in organisational processes such as equality impact assessment or policy review. Outcomes on improving data collection were common; in some cases these did not meet the definition of an outcome, but those worded to explicitly show the intended result of these improvements (i.e. the purpose and use of the data collection as opposed to the collection process itself) did arguably meet the definition.

Many organisations also had extremely generic outcomes around awareness raising which did not address the impact to be expected from that activity. CRER has concerns about some types of 'awareness raising' activity which may be ineffective or in extreme cases may exacerbate prejudice by promoting cultural stereotypes, and would highlight the importance of careful consideration of the evidence base behind (and intended result of) such activities.

Under-represented issues
This report does not aim to identify all of the gaps in the set of outcomes analysed. Nevertheless, it is clear that a number of prevalent issues which could be impacted by public sector organisations appear to be under-represented (either missing or addressed by a small number of outcomes).

Based on current knowledge about some of the main areas of disadvantage and inequality, more emphasis might have been expected on the following issues related to the three needs of the general equality duty:

- Tackling prejudice and discrimination
- For Colleges and Universities, improving application, retention and attainment rates in education for specific disadvantaged or under-represented groups
- Improving recruitment, promotion, training and retention rates in employment for specific under-represented groups
- Any other issues around disadvantage or representation identified amongst service user groups
- Addressing occupational segregation, both horizontal and vertical
- Increasing representation of staff, service users and community members with relevant protected characteristics in governance, decision making or consultative structures
- Bringing diverse individuals and groups together to foster good relations
- Increasing access to support for staff and/or service users on a range of equality related issues appropriate to the organisation, for example:
    - Disability and health issues (in addition to physical and sensory accessibility, which were covered widely)
    - Transitioning gender
    - Caring responsibilities, whether parental or disability related
- Improving access to support on equality issues which may occur outside of the organisation but have a severe effect on individual service users or staff, for example hate crime and gender based violence

The specific outcomes detailing the changes an organisation would aim to create for the people affected by these issues would differ according to the context for each organisation.

Key learning points:

- Considering external evidence (for example research papers and statistics) alongside internal evidence helps to identify the key themes organisations can impact through outcome setting

- There is often scope for outcomes to do more for employees; concerns for service users generally dominate

Employee Information

The employee information duty details specific information which should be published within the mainstreaming report, if it has not already been published elsewhere. The information required includes an annual breakdown of employee equality monitoring information and details of progress in gathering and using information to better perform the general duty.

In total, 16 out of a possible 18 public sector organisations (not including the two which published no documents at all) in Glasgow published some degree of employee information, although this was rarely of a sufficient level to be fully compliant with the requirements of the duty. Many organisations published employee information outwith the mainstreaming report, which is permitted only where the information has been produced prior to the mainstreaming report.

This analysis looks in some detail at the information published regarding:
• Employee composition (also known as workforce profile)
• Recruitment
• Staff development
• Retention (e.g. staff leaving the organisation, returning from maternity leave etc.).

These are the four bare minimum areas on which the Regulations require organisations to publish information. The non-statutory guidance on employee information[21] from the EHRC summarises the main part of the duty: "A listed authority must take steps to gather information on the composition of its workforce and the recruitment, development and retention of its employees, with respect to, in each year, the number and relevant protected characteristics of such persons." This reflects the previous requirements of the race equality duty, and so while the breadth of coverage is different, the basic concepts should be well understood by public sector organisations.

The guidance further sets out a range of information which could be collected in pursuance of the duty:

"We recommend that you work towards gathering and using information disaggregated by protected characteristics on the following:
• Recruitment and promotion
• Numbers of part-time and full-time staff
• Pay and remuneration
• Training and development
• Return to work of women on maternity leave
• Return to work of disabled employees following sick leave relating to their disability
• Appraisals
• Grievances (including about harassment)
• Disciplinary action (including for harassment)
• Dismissals and other reasons for leaving."

Few organisations in this study attempted to fulfil these, instead mostly concentrating on the basic information gathered (for example workforce profile, application statistics, staff receiving training and staff leaving posts). However, there was considerably more exploration of data in relation to staff in post / employee composition than in any other category. Some organisations usefully included information on the composition of specific staff groups, or on career progression (measured by looking at the percentage change in protected characteristics of staff across levels of seniority over time). Whilst only the most commonly reported aspects are analysed in any detail here, all of the above suggested data sources would increase the effectiveness of equality monitoring within organisations.

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[21] Equality and Human Rights Commission (2012). *Employee information and the public sector equality duty: A guide for public authorities (Scotland).* London: Equality and Human Rights Commission

As stated previously, employee composition was by far the best covered of the four primary areas analysed. Figure 19 below shows that 16 organisations detailed this information to some degree. Recruitment monitoring data was also commonly reported, featuring in 12 of the 16 documents. Staff development and retention data was less often included, featuring in nine and seven reports respectively.
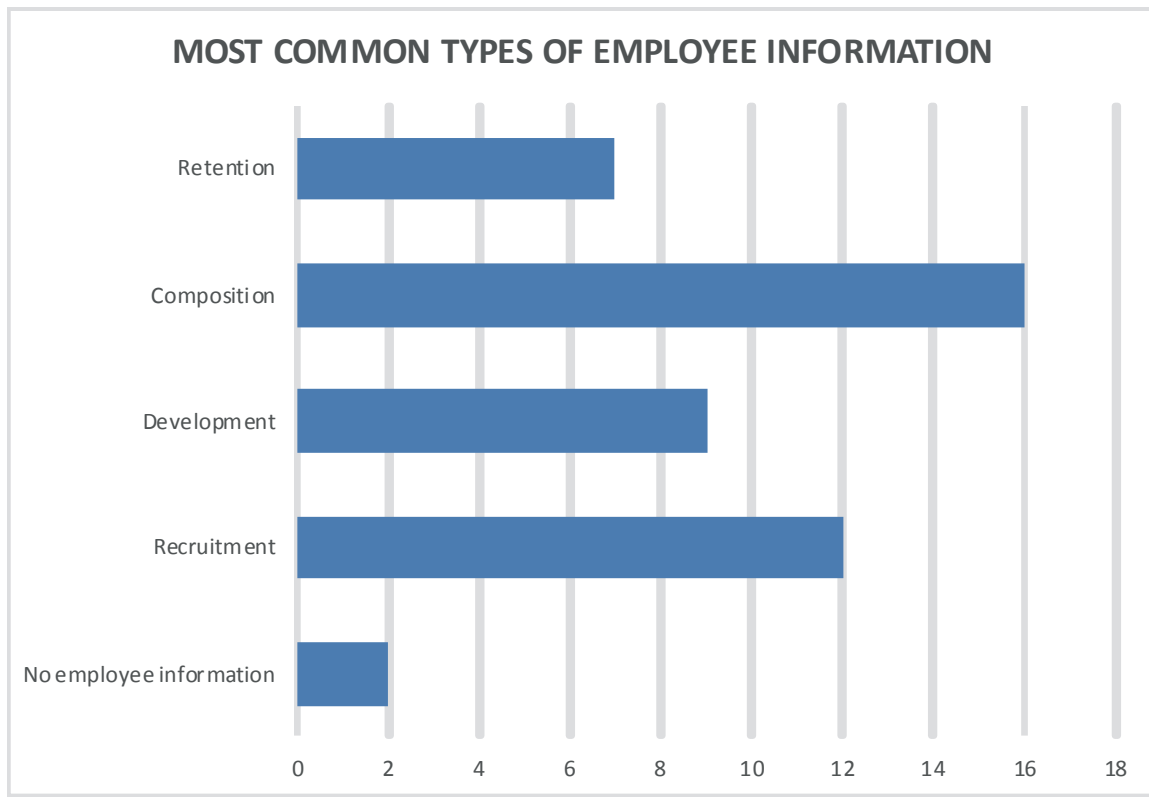
Figure 19

MOST COMMON TYPES OF EMPLOYEE INFORMATION

Figure 20 demonstrates the overall degree to which protected characteristics were covered by organisations in respect of each of these areas. Some organisations provided only partial information for some or all of the protected characteristics covered; this is explored in more detail at each of the following subsections.

Figure 20

Protected characteristics in employee information
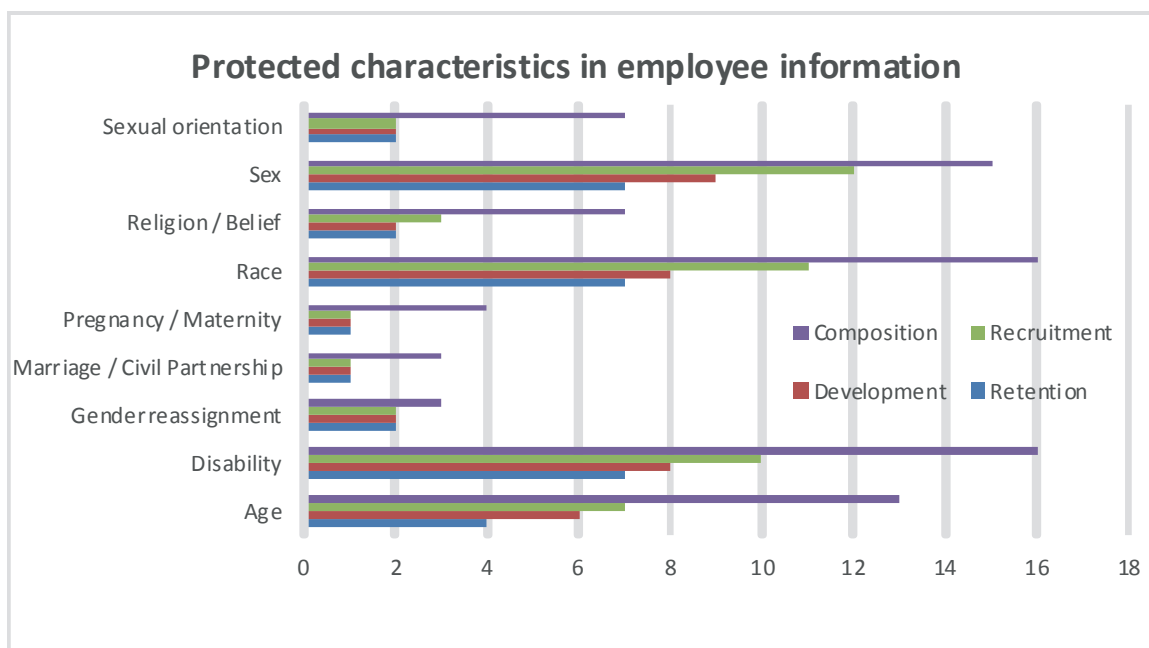
With the exception of those areas where there was a 'tie' in numbers covering composition, recruitment, development or retention, all of the protected characteristics were covered in much the same pattern, with composition being the foremost area, followed by recruitment, development and lastly retention.

The characteristics which were previously the subject of single-strand Equality Duties (sex, race and disability) were the most frequently reported across the four areas. Age also featured widely, possibly because human resources systems have tended to capture age data in the past. It appears that many organisations are not reporting employee information to an adequate level in terms of compliance with the Duty.

Employee composition data

Data on employee composition was provided by all 16 organisations which published employee information. However, it was relatively uncommon for organisations to attempt to cover all of the relevant protected characteristics in these reports. As shown at figure 21, half of the organisations provided information for only three or four characteristics. A further quarter covered five or six, with the remainder covering between seven and nine characteristics.

In most cases, this report looks at only what the Equality Act 2010 lists as 'relevant protected characteristics' for public sector equality duty purposes (all of the protected characteristics except marriage and civil partnership). However, three of the organisations publishing employee information chose to include marriage and civil partnership, bringing the total here to nine characteristics instead of eight.

Figure 21

NUMBER OF PROTECTED CHARACTERISTICS DETAILED IN EMPLOYEE COMPOSITION

- 9 — 13%
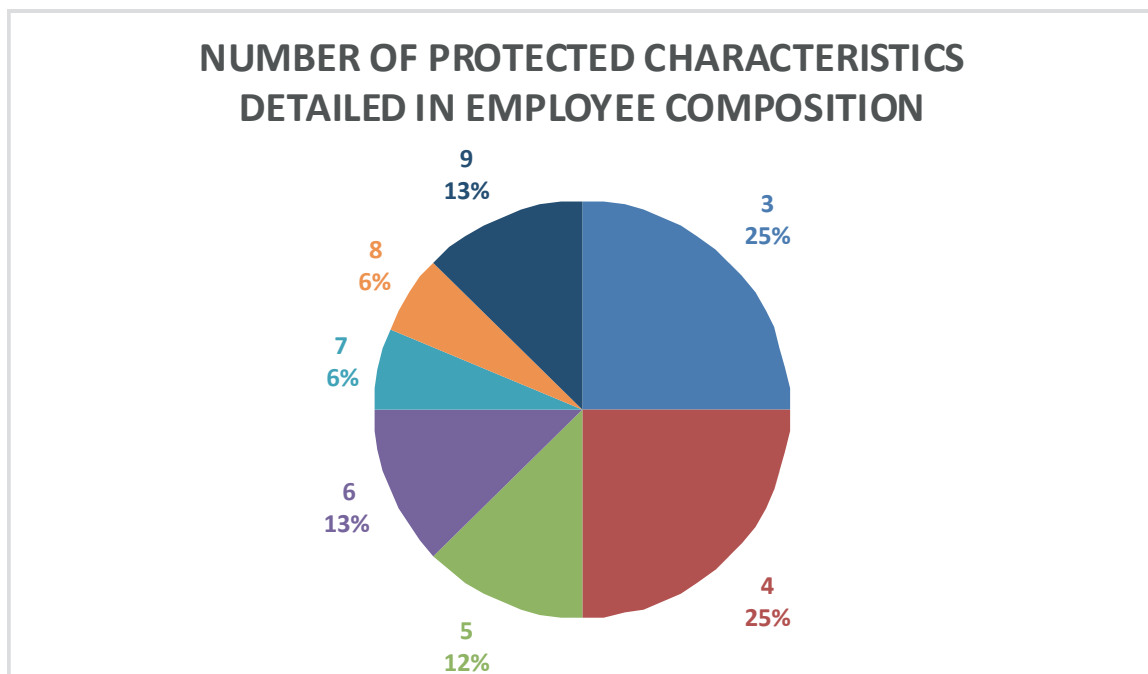- 8 — 6%
- 7 — 6%
- 6 — 13%
- 5 — 12%
- 4 — 25%
- 3 — 25%

Figure 22 shows the extent to which each protected characteristic was covered within the overall body of employee composition data. As stated in the introduction to this section, the protected characteristics which have traditionally been monitored either for previous equality duty or human resources purposes are prevalent. Interestingly however, whilst all of the organisations providing information reported on disability and race, not all covered sex. Age was the next most common characteristic.

Sexual orientation and religion and belief were each covered by seven organisations (less than half of the total). Pregnancy and maternity data was relatively uncommon, which is perhaps surprising given that existing human resources processes will inevitably collect this information. Only four organisations provided this, and in one case the data provided was partial. Gender reassignment monitoring information was reported by three organisations, the same number providing data on marriage and civil partnership which is not strictly required by the duty. There are understandable sensitivities around potential privacy breaches for transgender staff members which make reporting data in this area a challenge, however guidance is available on how to counter these difficulties.

Without adequate monitoring, it is impossible to quantitatively assess whether equality is being progressed for transgender staff members. The same can be said where other characteristics have not been addressed in employee composition (or other areas of monitoring) data.

Figure 22

Protected characteristics in employee composition
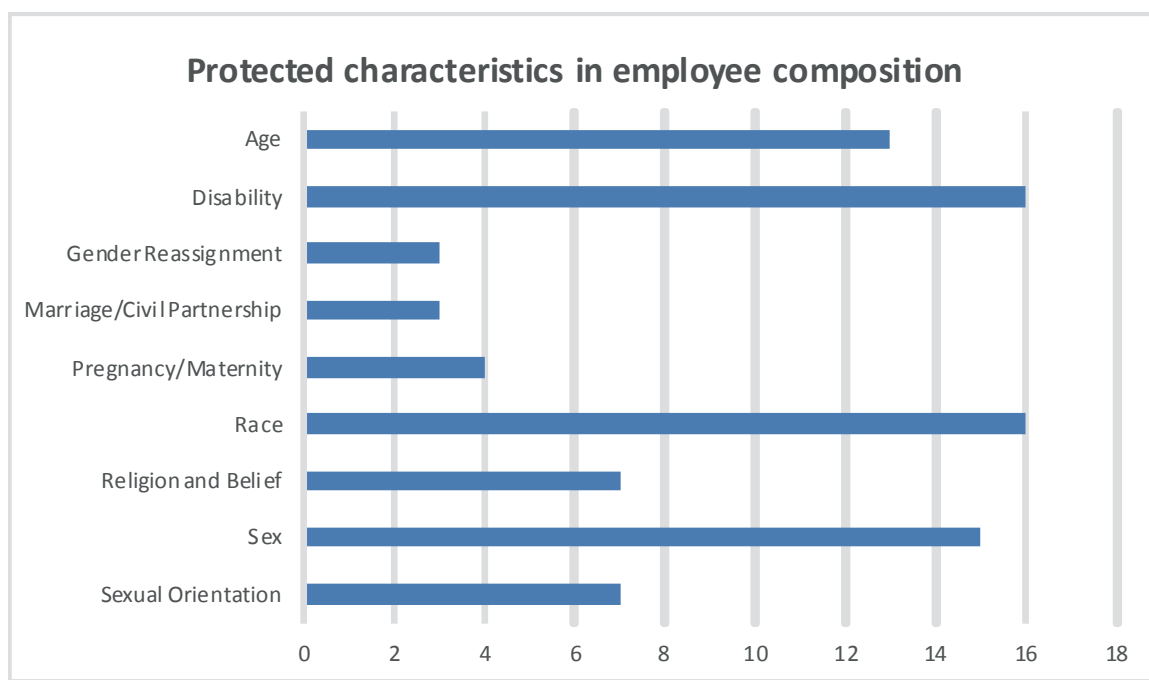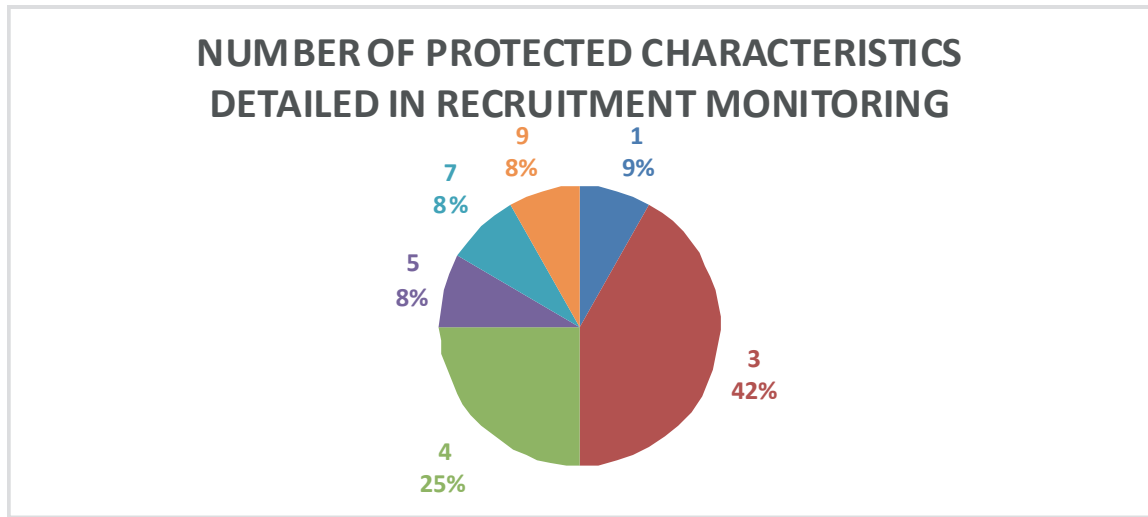
Recruitment monitoring data

In total, 12 out of the 16 organisations published recruitment monitoring data. However, the level of data published was extremely varied.

As demonstrated at figure 23, whereas half of the organisations publishing information on employee composition recorded data for a maximum three or four protected characteristics, this rises to over three quarters when looking at recruitment monitoring. Only three organisations reported on five or more protected characteristics.

Figure 23

NUMBER OF PROTECTED CHARACTERISTICS
DETAILED IN RECRUITMENT MONITORING

A clearer picture of employee recruitment monitoring can be gained by looking at the level of information gathered for each protected characteristic. To properly address the equality impact of recruitment, organisations would require information on the protected characteristics of candidates at application stage, interview stage and appointment. In figure 24 below, the bottom bar for each characteristic indicates the number of organisations providing each of these statistics, and the top bar indicates those which provided only partial data.

Figure 24

Protected characteristics in recruitment monitoring
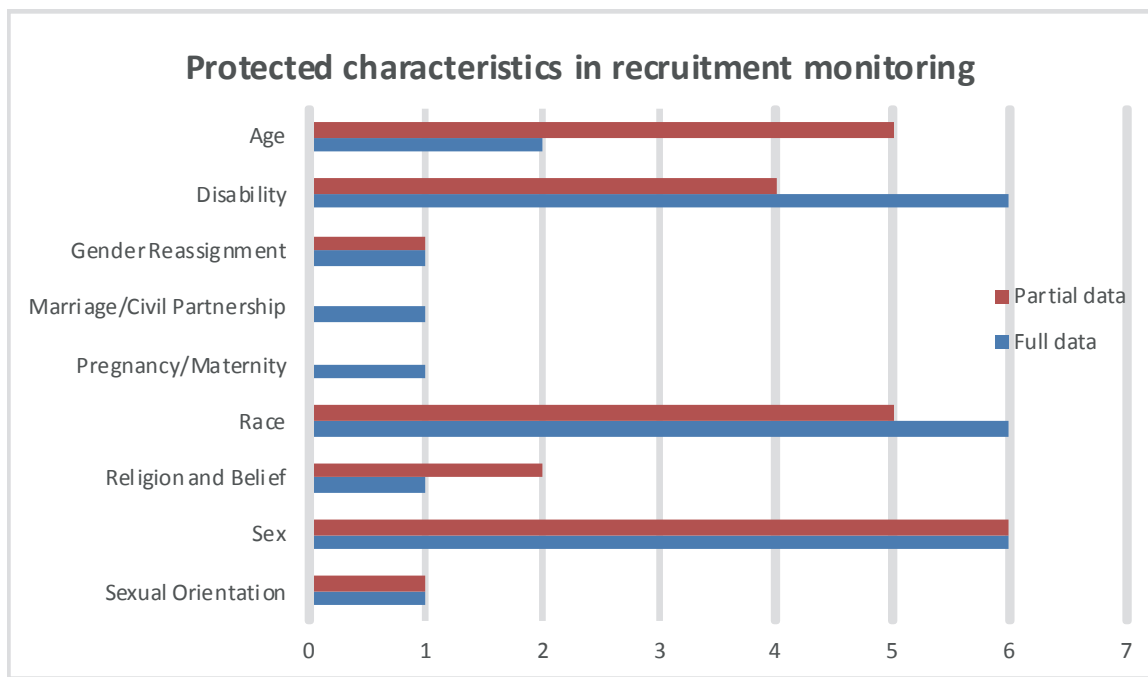
All 12 organisations published some degree of recruitment data on sex (six fully, six partially). Whilst the number of organisations providing full information for race and disability also stood at six, a lower number of organisations provided partial information for these characteristics. This trend was reversed when looking at age in recruitment; whilst five organisations provided partial data, only two provided full data. Very few organisations provided information for any of the other protected characteristics.

Notably, the single organisation which provided full data for gender reassignment and any data at all for both pregnancy/maternity and marriage/civil partnership provided full data for all of the protected characteristics. None of the organisations providing only partial data addressed the full range of relevant protected characteristics.

Staff development monitoring data
Out of the 16 organisations publishing employee information, only nine provided details of staff development monitoring. In this area, the number of organisations reporting on three or four characteristics rises again to two-thirds with only three providing a higher level of detail (see figure 25 below).

Figure 25

NUMBER OF PROTECTED CHARACTERISTICS DETAILED IN DEVELOPMENT MONITORING
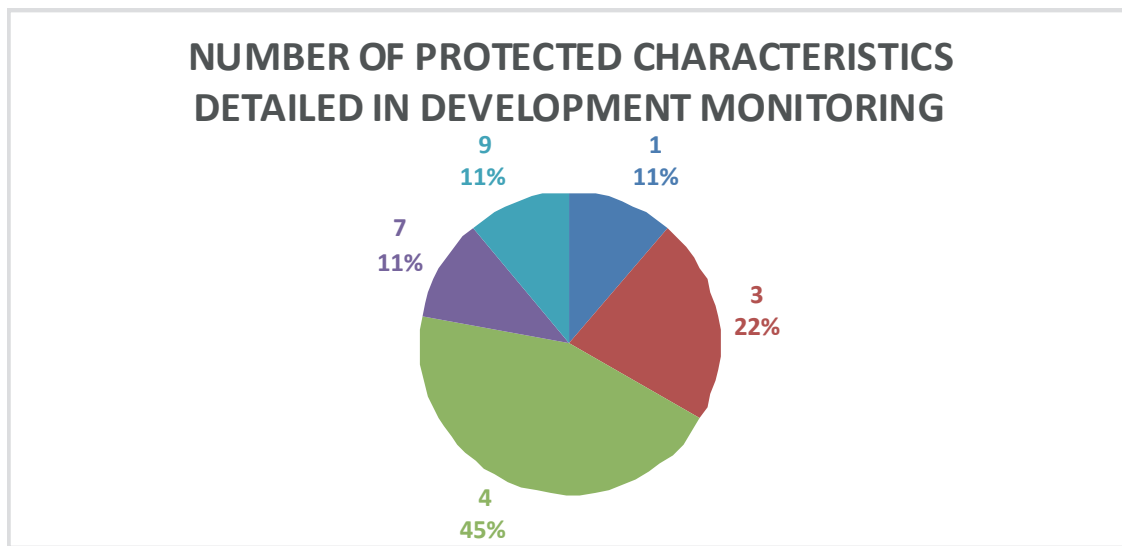
A great number of options for collecting information on staff development and related issues were available to organisations. The analysis included information on training uptake, promotion, performance review, staff benefits, discipline, grievance and discrimination / harassment as part of this broad area. Where a substantial range of data was provided in the employee information report, this was recorded as 'full data' (see the bottom bar of figure 26). Where only a small range of factors had been reported, this was recorded as 'partial data' (shown in the top bar).

Figure 26

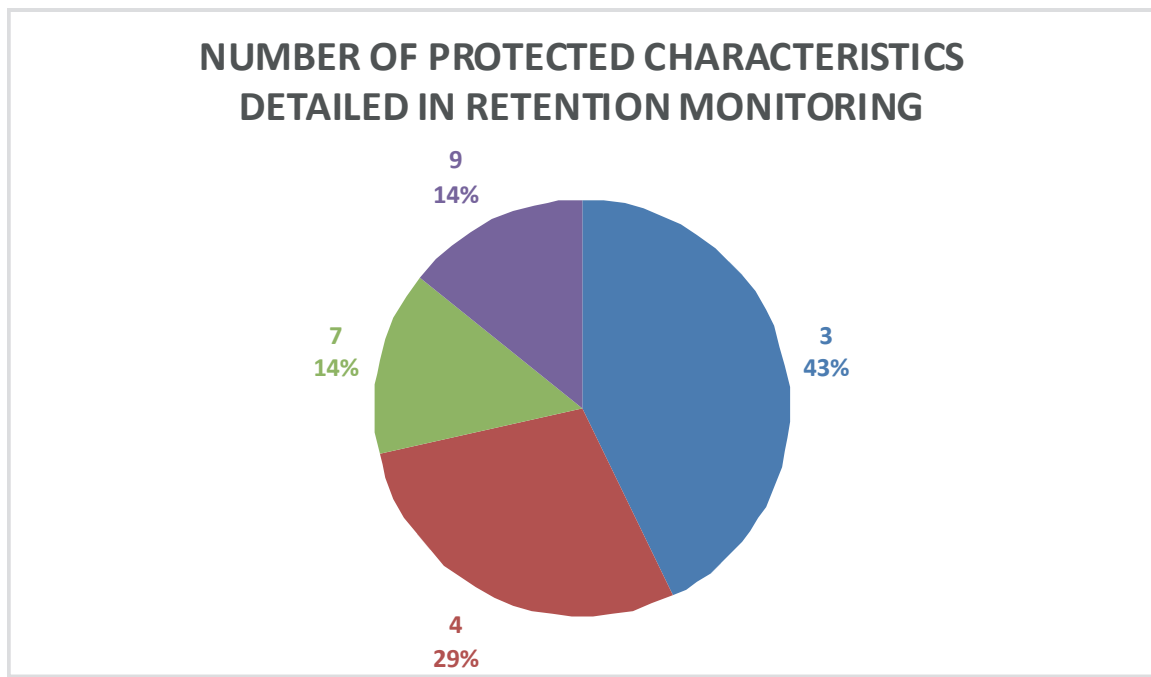Protected characteristics in development monitoring
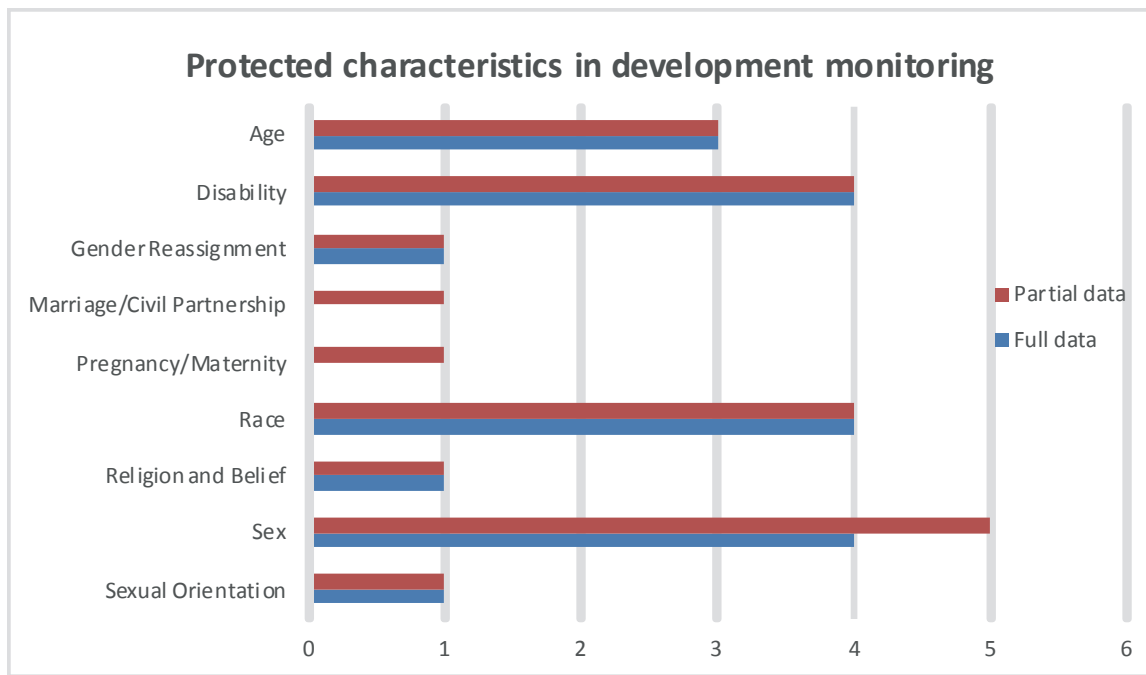
As with the other three areas of employee information analysed, sex, race and disability were the most widely addressed, followed by age. Again, only one organisation provided information on pregnancy/maternity or marriage/civil partnership, but this time the information was partial.

Although the numbers are reduced as fewer organisations provided development data, the pattern of very low reporting rates for these protected characteristics followed by gender reassignment, religion and belief and sexual orientation remain similar to the other areas examined.

Retention monitoring data

Figure 27 shows that only seven of the potential 16 organisations provided monitoring data in relation to staff retention. Only two of these provided information for more than four characteristics.
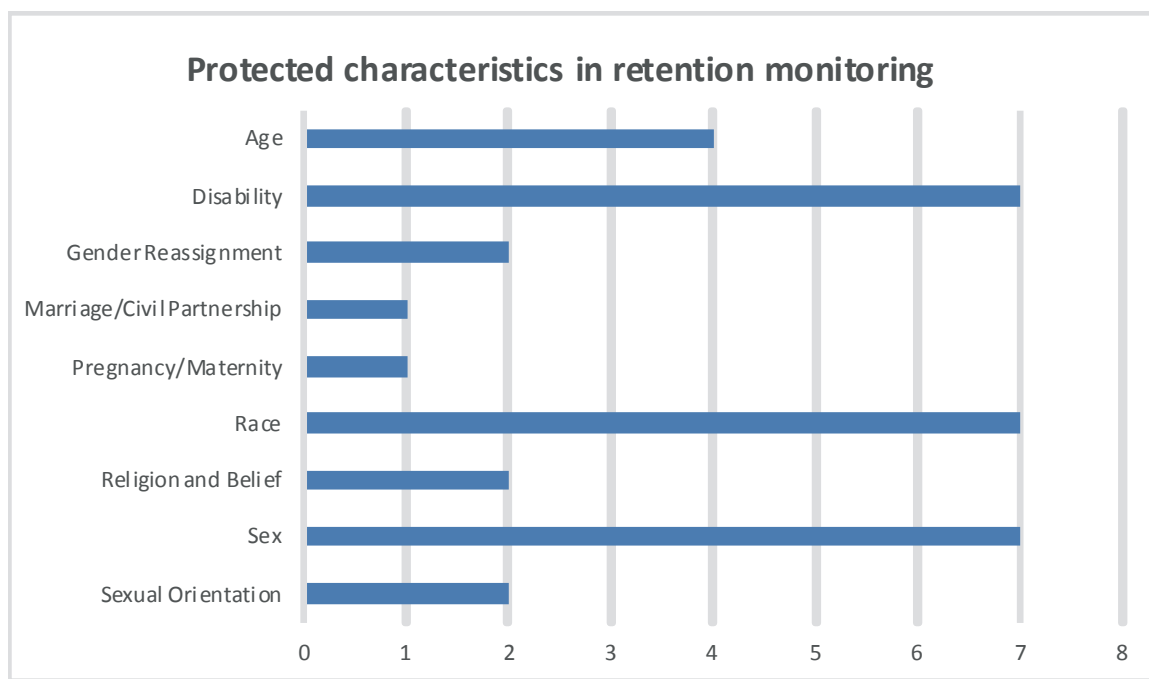
Figure 27

NUMBER OF PROTECTED CHARACTERISTICS DETAILED IN RETENTION MONITORING

All seven organisations provided a substantial level of information on retention (covering, for example, staff exits, dismissals, end of contracts, redundancies, retirements etc.).

The trend in protected characteristics covered remained the same as the other three areas of employee information, with disability, race and sex covered by all organisations, age by over half and the remaining characteristics by only one or two (shown at figure 28).

Figure 28

Protected characteristics in retention monitoring

Characteristic	Value
Age	4
Disability	7
Gender Reassignment	2
Marriage/Civil Partnership	1
Pregnancy/Maternity	1
Race	7
Religion and Belief	2
Sex	7
Sexual Orientation	2

Employee information data analysis

As previously mentioned, the employee information duty requires organisations to publish details of the progress it has made in gathering and using information to enable it to better perform the general equality duty alongside annual employee monitoring data. This part of the duty is worded fairly widely, however it would presumably require a degree of narrative analysis.

Comparatively little quality analysis of data could be found in the employee information produced by Glasgow's public sector organisations. In some cases, only basic figures were presented in table format with no direct analysis (potentially non-compliant) and without any benchmarking information to enable the reader to ascertain how representative the statistics were. In other cases, a small amount of benchmarking information was provided but without any indication of how the organisation has interpreted or used the statistics itself. In a few cases, a more useful approach was taken, combining the available statistical information with relevant narrative detail. The best of these explored the data from a range of angles.

Good Practice Case Study:

Recruitment Monitoring
The majority of organisations concentrated on application statistics only when looking at recruitment, however this gives a limited picture of the organisation's performance. One organisation in the study explored equality in recruitment by looking at the protected characteristics of applicants at each stage (application, shortlisting for interview, appointment). Through this process, they identified a specific race equality concern. Statistics showed that minority ethnic candidates were slightly less likely to apply for a job than majority ethnic candidates, but were also much less likely to be invited for interview and even less likely to be appointed. The organisation committed to further exploration of the reasons for this and action to address it.

The way in which data was presented was not always easy to interpret, even where there was some narrative provided. This was especially the case in relation to ethnicity monitoring statistics, which were provided in a range of different formats. The better examples of ethnicity benchmarking tended to provide data in the categories laid out within the Scottish Census, however even here, it proved difficult to see how representative the statistics were. Some organisations had chosen to benchmark them against industry wide monitoring figures, others had used national data from the 2001 Census. The first approach is unsuitable for use, at least as a standalone source of benchmarking data, due to the impact of occupational segregation and institutional discrimination within the sector. The latter is unsuitable because it is extremely out of date and not relevant to the local context (Glasgow has a considerably larger minority ethnic population than other areas of Scotland).

Many organisations provided combined data for all minority ethnic groups but few explained which ethnic groups were included in the combined categories, often breaking down simply into 'white' and 'BME' (Black and minority ethnic, encompassing all ethnic groups not defined as 'white' within the monitoring categories). This can potentially skew results by including white minority ethnic groups alongside white majority ethnic groups. A clearer approach would be to report on 'white British', 'other white' and 'BME'. Again, however, a clear description of which ethnicities are included in these categories is preferred as the level of inequality in employment varies between minority ethnic groups. Where possible, a full breakdown using Census ethnicity categories is most informative.

Another concern around presentation of data was reporting of gender information in a way which made the category 'transgender' appear to be a third sex in addition to 'male' and 'female'. This demonstrates a lack of understanding of transgender issues and conflicts entirely with the way equality law views transsexuality. Whilst some people do not identify with either male or female gender, these individuals are not protected by the Equality Act 2010 (organisations may of course choose to monitor an intermediate gender category in relation to non-binary gender identities or intersex individuals, but this was not the case in the examples identified here).

In addition to being irrelevant for the majority of transgender individuals, creating an additional sex category skews monitoring data so that the numbers of male and/or female staff are lowered by shifting trans men and women into an inappropriate third category.

Very few organisations have included monitoring information on transgender staff, and fear of 'getting it wrong' is undeniably a factor for some. However, useful guidance is available which should make it entirely possible for all organisations to follow best practice on trans equality monitoring.[22]

Organisations may also wish to review their approach to reporting on small numbers of staff where a sensitive personal characteristic is involved. Some reports broke down sensitive information on small numbers of staff into, for example, occupational category within the organisation. Other areas where this can be a concern include statistics on grievances or disciplinaries. The small numbers which may be involved, particularly when connected to a visible or openly identified protected characteristic such as race or sexual orientation, make it highly likely that individuals could be identified. This can constitute a breach of the Data Protection Act (although the point at which this would become a concern is not entirely clear; CRER intends to seek advice on this from the Office of the Information Commissioner as part of a future project). Additionally, if a person's transgender identity is accidentally exposed, there is also a possibility of criminal charges under the Gender Recognition Act 2004. The non-statutory guidance provides advice on how to deal with small numbers, which does not appear to have been widely used by organisations in this study.[23]

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[22] See, for example, guidance from the Scottish Transgender Alliance: http://www.scottishtrans.org/wp-content/uploads/2013/03/stamonitoringguidefeb09.pdf

[23] Equality and Human Rights Commission (2012). *Employee information and the public sector equality duty: A guide for public authorities (Scotland)*. London: Equality and Human Rights Commission

Organisations should make every effort to meet their data protection responsibilities, however in the past some organisations have misused the concept of data protection to avoid their responsibility to collect and use information to advance equality. Ideally, redacted statistics should be accompanied by a simple narrative statement explaining whether or not the organisation believes the unpublished statistics to be representative in comparison to benchmarking data, and what it intends to do to tackle any identified inequalities.

Key learning points:

- Most organisations require significant development of their approach to employee information monitoring and reporting in order to meet the requirements of the duties

- Narrative analysis of data makes employee information reporting more effective, and also helps to meet the requirement to detail progress in gathering and using information

- Methods of categorising employee information (particularly ethnicity categorisation) need to be carefully considered to enable interpretation and benchmarking

- Data protection considerations are important, but even where disclosive risks arise, it is possible to analyse data and report general findings

Equal Pay

Two of the specific equality duties relate to equal pay. These are considered briefly here.

The first of these duties is an obligation to publish information on the percentage difference among its employees between men's average hourly pay and women's average hourly pay (the gender pay gap duty). The second is a duty to publish a statement specifying its policy on equal pay between male and female staff, and information on occupational segregation across grades and occupations of women and men (the equal pay statement duty). From 2017, the equal pay statement duty will also cover race and disability.

Our analysis looked briefly at basic compliance with these duties. With regard to publishing the gender pay gap, 14 out of the 16 organisations which published employment information complied. The remaining two had information within their suite of equality duties reports about ongoing or planned equal pay audits, and made statements showing they were aware of the duty, however neither published a percentage based gender pay gap in line with the requirements of the legislation. Neither of these organisations were subject to the exemption from the duty which exists for listed public authorities with under 150 staff. Three of the organisations which published pay gap details included details for more protected characteristics than required by law, including for example age, race and disability. In a few cases the extra characteristics were further broken down by gender, providing a richer evidence base.

A few organisations in the sample opted to promote the gender pay gap excluding senior management staff rather than the gap for all staff. The duties require that the gender pay gap figure includes all staff. Concerns were raised by these organisations that the pay gap is skewed by an all-male senior management team. On the contrary, as the predominance of men at senior levels is a key factor in gender pay inequality, removing this group in fact skews the gender pay gap figure by not accounting for this serious and continuing inequality.

All 16 organisations published an equal pay statement. Two of these had pre-emptively included disability and race, in advance of the requirement to do so from 2017. Interestingly, these were not the same organisations which included pay gap information for protected characteristics in addition to gender. As part of the equal pay statement, organisations are required to publish information on both horizontal and vertical segregation. This analysis did not look at performance in this area in detail, but it appeared to be extremely mixed.

Not all organisations published occupational segregation information, and it was often more challenging to find as there was a tendency not to publish it alongside the equal pay statement as required. Some had published tables for both grades (vertical segregation) and occupational groups (horizontal segregation) across the organisation, making it easy to identify compliance. In many cases though, only a basic narrative looking at some grades or occupations was evident, or only grade based information (vertical segregation) had been provided.

Key learning points:

- There is scope for organisations to consider pay issues for protected characteristics beyond the equal pay duty legal requirements, which may be useful in meeting the general duty and in avoiding potential discrimination issues

- Organisations may wish to consider whether the range of information being published meets the requirements of the duties, particularly in regard to the gender pay gap and information on horizontal and vertical occupational segregation

- Publishing the gender pay gap for all staff is essential, and whilst narrative explanations can usefully explore the impact of male seniority, this should be regarded as a key feature of gender inequality as opposed to a skewing factor

The Way Forward

Our analysis suggests that Glasgow public bodies' performance on the first round of reporting on the new specific equality duties is mixed. Most organisations have invested considerable time and effort in preparing their reports, yet in many cases, a lack of focus on the requirements set out by the duties results in poor practice or non-compliance.

In particular, organisations seem to find it challenging to adapt to the person-centred focus required by the duties. Both mainstreaming reports and equality outcomes were often excessively bureaucratic and sometimes lacked a clear vision for the changes organisations want to see in people's lives. Concerns also arose around the depth of involvement and evidence gathering, and adequate coverage of the needs and protected characteristics of the general equality duty.

The Equality and Human Rights Commission is undertaking a Scotland wide review of compliance with the Scottish specific duties, with analysis being published in tranches over the latter half of 2013 (the first publication, a basic overview, was provided in June).[24] Other organisations working in the equalities field are also likely to publish their own analyses. These documents will provide Glasgow's public sector bodies with opportunities for further reflection.

In addition to the key learning points raised at each section of this report, a small selection of general recommendations have been developed as a result of our analysis.

Recommendations

Public bodies should consider undertaking an interim review of their approach to progressing their equality duties, with particular regard to assessing:
- The extent to which each requirement of the specific equality duties has been reflected within current publications and practices
- Gaps in coverage of general equality duty needs or protected characteristics
- Approaches to involvement and evidence gathering
- Processes for gathering employee information
- Potential for improvement measures, including updating equality outcomes if appropriate

The Equality and Human Rights Commission and its parent agency, the UK Government Equalities Office, should consider when reviewing the current approach to providing guidance on the Scottish specific equality duties:
- Using the key learning points from this study alongside results from the forthcoming Scotland wide report on compliance with the specific duties to identify current weaknesses and implications for guidance
- Issuing statutory guidance to reduce the potential for misinterpretation of mandatory requirements set out currently through non-statutory guidance
- In the absence of statutory guidance, clarifying which elements of the non-statutory guidance are mandatory and which optional
- Identifying and rewording elements of the non-statutory guidance which may be open to overly broad interpretation, creating a risk of non-compliance

The Scottish Government, in supporting public sector organisations to meet their equality duties, should consider:
- Continuing to enhance the availability of evidence and benchmarking data, for example through its Equality Evidence Finder tool, and to promote resources widely

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[24] Equality and Human Rights Commission (2013). *Measuring Up? Monitoring Public Authorities performance against the Scottish Specific Equality Duties.* Glasgow: EHRC Scotland

- Working with the Equality and Human Rights Commission to promote appropriate action towards better compliance following publication of its reports on Scottish public bodies' compliance with the duties
- Undertaking a review of the Regulations in due course to identify and implement potential improvements

Appendix: Listed Public Bodies in Glasgow

The following listed public bodies were included in the study. National agencies based in Glasgow were not included.

Anniesland College
Cardonald College
City of Glasgow College
East Park School
Glasgow Caledonian University
Glasgow City Council
Glasgow Community Justice Authority
Glasgow Education Authority
Glasgow Licensing Board
Glasgow School of Art
John Wheatley College
Jordanhill School
Langside College
NHS Greater Glasgow and Clyde
North Glasgow College
Royal Conservatoire of Scotland
Stow College
Strathclyde Partnership for Transport
University of Glasgow
University of Strathclyde

Over 2013, mergers related to the Scottish Government's Post-16 Education Reform agenda result in the following changes:
   • Anniesland, Cardonald and Langside Colleges merge to become Glasgow Clyde College
   • John Wheatley, North Glasgow and Stow Colleges merge to become Glasgow Kelvin College