

ABERDEEN CITY COUNCIL

COMMITTEE	Operational Delivery Committee
DATE	11 March 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Equality Outcomes and Mainstreaming Report
REPORT NUMBER	CUS/21/051
DIRECTOR	Andy MacDonald
CHIEF OFFICER	Derek McGowan
REPORT AUTHOR	Faiza Nacef
TERMS OF REFERENCE	1.1.1

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Committee on the Council's progress and plans for further mainstreaming Equality within the organisation and to seek agreement for the proposed Equality Outcomes for 2021-25.

2. RECOMMENDATION(S)

That the Committee:

- 2.1 Note the ongoing work to mainstream equality in the Council as detailed in the Equality Outcomes and Mainstreaming Progress Report 2021- 2025;
- 2.2 Note the progress of the Equality Outcomes 2017 – 2021 as contained in Appendix 1 of the Equality Outcomes and Mainstreaming Progress Report 2021- 2025;
- 2.3 Note the report findings from engagement with communities as contained in Appendix 5;
- 2.4 Approve the Equality Outcomes for Aberdeen City Council for 2021 to 2025 including:
- Corporate Equality Outcomes,
 - Equality Outcomes for the Council as an employer,
 - Education Equality Outcomes
- all as detailed in the Equality Outcomes and Mainstreaming Progress Report 2021- 2025;
- 2.5 Approve that the Equality Outcomes and Mainstreaming Progress Report 2021-2025 (in so far as it relates to Aberdeen City Council) be published on the Aberdeen City Council website; and

- 2.6 Approve that the Council's Employee Information, as contained in Appendix 2 to the Equality Outcomes and Mainstreaming Progress Report 2021- 2025, be published on the Aberdeen City Council website.

3. BACKGROUND

- 3.1 The Public Sector Equality Duty (PSED) (General Duty), contained within the Equality Act 2010, requires Aberdeen City Council, in the exercise of its functions, to pay due regard to the need to:
- a. eliminate discrimination, harassment, and victimisation;
 - b. advance equality of opportunity, and
 - c. foster good relations between persons who share a relevant protected characteristic and those who do not.
- 3.2 The relevant protected characteristics in relation to the PSED are; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, pregnancy & maternity, and marriage & civil partnerships. Marriage and civil partnership are only covered in relation to eliminating unlawful discrimination by public authorities in relation to employment issues.
- 3.3 The Specific Duties, created by the Equality Act 2010 (Specific Duties) (Scotland) Regulation 2012, require Aberdeen City Council to:
- report on mainstreaming the equality duty.
 - publish equality outcomes and report progress.
 - assess and review policies and practices.
 - gather and use employee information.
 - publish information on board diversity and succession planning.
 - publish gender pay gap information.
 - publish statements on equal pay.
 - consider award criteria and conditions in relation to public procurement.
 - publish required information in a manner that is accessible.
- 3.4 This report details the work undertaken to help us meet our requirements under the Specific Duties and includes:
- An update on how we are mainstreaming the equality duty into the day-to-day strategic and operational practice of our organisation, so that equality becomes integral to our structures, behaviours, and culture.
 - Details of the work recently undertaken to gather evidence and identify inequality issues in Aberdeen.
 - Details of our progress in delivering the Equality Outcomes for the period 2019 – 2021.
 - A proposed set of Equality Outcomes for 2021 - 2025, including:
 - Corporate Equality Outcomes
 - Employer Equality Outcomes
 - Education Equality Outcomes
 - Licensing Board Equality Outcomes
 - A set of reports on employee information.

- 3.5 The Equality and Human Rights Commission (EHRC) has published guidance to support Scottish public authorities subject to the Specific Duties. We consulted with the EHRC as we developed our Equality Outcomes and paid due regard to their guidance which states that, “In preparing your equality outcomes you must consider relevant evidence relating to equality groups and communities and take reasonable steps to involve them in the process of preparing outcomes”.
- 3.6 Equality Outcomes are defined as, ‘the results intended to achieve specific and identifiable improvements in people’s life chances.’
- 3.7 To determine the key inequalities in Aberdeen, we worked in partnership with Grampian Regional Equality Council to conduct a research review as well as carry out community consultations to identify priorities. Work included:
- Local and national literature review and research to better understand equality issues, for example the Equality and Human Rights Commission (EHRC) research and findings in the report ‘[Is Scotland Fairer? \(2018\)](#)’.
 - An equalities survey to seek the views of those with protected characteristics - almost 200 people responded.
 - Online workshops with community groups, including:
 - Disability Equity Partnership
 - BSL users,
 - Members from the Muslim community,
 - Members from the Jewish community,
 - A group with African backgrounds,
 - People from European communities,
 - A group from the LGBTQ+ communities,
 - Older and younger people,
 - Aberdeen Women’s Alliance.
- 3.8 In developing these Equality Outcomes, we were mindful of the disproportionate [impact of COVID 19](#) on particular communities with protected characteristics, including those with a disability and those from ethnic minority communities. We acknowledged these unequal impacts and considered the increase in discrimination and disadvantage triggered by the pandemic.
- 3.9 The proposed Equality Outcomes for 2021-25 appear in chapter 4 page 27 of the main report.
- 3.10 The proposed Equality Outcomes for 2021-2025 for Education and the Licensing Board appear in Appendix 3 and Appendix 4 respectively. It is anticipated that the Equality Outcomes for the Licensing Board will be reported to the Board for their approval on 13 April 2021.
- 3.11 Appendix 2 presents employee data.

- 3.12 Appendix 5 presents a detailed report of the survey and engagements undertaken with communities to identify the inequalities in Aberdeen.

4. FINANCIAL IMPLICATIONS

It is expected that any changes can be met from existing budgets.

5. LEGAL IMPLICATIONS

- 5.1 Aberdeen City Council has to comply with the Public Sector Equality Duty (General Duty) contained within the Equality Act 2010, and must pay due regard, when exercising its functions, to
- a. eliminating discrimination, harassment, and victimisation,
 - b. advancing equality of opportunity,
 - c. fostering good relations between persons who share a relevant protected characteristic and those who do not.
- 5.2 The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (as amended) require Aberdeen City Council to publish the following:
- Equality Outcomes
 - A set of Equality Outcomes that will enable it to better perform its equality duties every four years. The current Equality Outcomes for 2017-21 were published in 2017.
 - Progress Report
 - A report on the progress the Council has made to make the equality duty integral to the exercise of its functions so as to better perform that duty every two years. Aberdeen City Council's last report was published in 2019.
 - Employee Information
 - An annual breakdown of the composition of the workforce and the recruitment, development, and retention of employees with respect to, in each year, the number and relevant protected characteristics of staff, as well as details of the progress that the authority has made in gathering and using that information to enable it to better perform the equality duty. This information must be published every two years, on the same cycle as those reports published in relation to Regulation 3 (see above). The mainstreaming report published in 2019 (see above) contained the relevant information on employees.
 - Gender Pay Gap Information
 - Information on the percentage difference among its employees between men's average hourly pay (excluding overtime) and women's average hourly pay (excluding overtime) (Regulation 7). This information must be published every two years, and was last published by Aberdeen City Council in 2019, as part of its mainstreaming report; and

- Equal Pay Statements
 - A statement specifying the policy on equal pay between men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not. Simultaneously, it is necessary to show occupational segregation amongst employees, that is the concentration in particular grades and occupations of: men and women; persons who are disabled and persons who are not; and persons who fall into a minority racial group and persons who do not (Regulation 8). These statements must be published every four years and were last published by Aberdeen City Council in 2017.

5.3 This report provides evidence of compliance with the duties contained in the Equality Act 2010 and accompanying regulations.

6. MANAGEMENT OF RISK

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	This outcome in the LOIP would not be met.	L	LOIP Improvement Groups meet regularly to scrutinise progress towards achievement of outcomes and to address any barriers to success. All Council reports must include consideration of equalities outcomes.
Compliance	Non-compliance with our legal duties under Section 149 of the Equality Act 2010 (the Public Sector Equality Duty) and the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 would risk enforcement action, legal challenges, loss of reputation and damage to the Council.	M	The proposals within this report demonstrate ACC's commitment to meeting our legal requirements and duties in relation to the Equality Act 2010.
Operational	Services to those with protected characteristics would	L	Integrated Impact Assessments are completed for every new policy or

	be affected, impacting on the life opportunities and outcomes for those customers.		strategy and identifies and assesses any equality impacts and requires mitigations to be considered prior to approval
Financial	ACC would be subject to legal challenges	L	The proposals within this report demonstrate ACC's commitment to meeting our legal requirements and duties in relation to the Equality Act 2010
Reputational	Failure to mainstream equality or to deliver the Equalities Outcomes risks damage to reputation of the Council.	M	The actions undertaken to date to meet the previous Equality Outcomes 2017-21 clearly demonstrate progress towards a mainstreaming approach and the Equality Outcomes 2021-25 are underpinned by a range of specific actions to support those with protected characteristics.
Environment / Climate	N/A		

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
Impact of Report	
Aberdeen City Council Policy Statement	<p>The proposals within this report seeks to integrate equality into our day-to-day work so that it becomes part of our structures, behaviours and culture and contributes to continuous improvement and better performance. As such, the approval of this report and implementation of the proposed Equality Outcomes will support the delivery of all Policy Statements by ensuring that in implementing them, we pay due regard to eliminating discrimination, advancing the equality of opportunity and fostering good relations between persons who share a protected characteristic and those who do not.</p>
Aberdeen City Local Outcome Improvement Plan	
<p>Prosperous Economy Stretch Outcomes</p>	<p><u>LOIP stretch outcome 1</u> 10% increase in employment across priority and volume growth sectors by 2026</p> <p><u>Key Driver</u> 1.2 Developing the talent and future workforce necessary to support diversification of businesses and economy.</p> <p><u>Commissioning Intentions</u> Commission new employability activity for Progress through Positive Partnerships framework</p> <p><u>Key Measure</u></p> <ul style="list-style-type: none"> • Number of over 50s in employment <p><u>Commissioning Intentions</u> Progress the Council's Investors in Young People programme</p> <p><u>Key Measures</u></p> <ul style="list-style-type: none"> • Number staff engaged in mentoring young people. • Number internships offered to / successfully completed by care experienced young people. <p><u>Commissioning Intentions</u> Commission providers in relation to positive destinations</p> <p><u>Key Measures</u></p> <ul style="list-style-type: none"> • Number of young people achieving positive destinations. • % of young people from priority localities achieving positive destinations • Number of young people on foundation apprenticeships

	<p>Rationale: This report seeks approval for a new set of Equality Outcomes to ensure we pay due regard to eliminating discrimination, advancing equality of opportunity, and fostering good relations between persons who share a protected characteristic and those who do not. Implementation of the recommendations will result in more actions to ensure better access to information about opportunities as well as confidence in fairness to access jobs and available different employability programmes.</p> <p>The Employer Equality Outcome 4 further supports this LOIP Stretch Outcome: 'ACC as an employer seeks to diversify the workforce in the Council by ensuring there is equality of opportunity for all protected groups and that the ACC workforce is more representative of the community it serves'.</p>
<p>Prosperous People Stretch Outcomes (Children and young people and Adults)</p>	<p><u>LOIP stretch outcomes 3-12</u> The proposals within this report support the delivery of all Children & young people and Adults Stretch Outcomes. For example:</p> <p><u>Outcome 7</u> Child Friendly City by 2026 (Children and young people LOIP theme)</p> <p><u>Key Drivers</u> 7.1. Secure required six UNICEF badges to gain Child Friendly City status, <i>Equality and Inclusiveness</i>.</p> <p><u>Commissioning Intentions</u> Make Aberdeen child friendly where children feel safe, heard, nurtured and able to flourish.</p> <p><u>Key Measures</u></p> <ul style="list-style-type: none"> • Achieve UNICEF Child Friendly Accreditation badges in Participating, Child Friendly Services, Place, Culture, Co-operation and Leadership and Communication. <p><u>Outcome 12</u> Rate of harmful levels of alcohol consumption reduced by 4% and drug related deaths lower than Scotland by 2026 (People adults LOIP theme)</p> <p><u>Key Drivers:</u> 12.1 Increase support for children and young people at risk of developing drug and alcohol problems</p> <p><u>Commissioning Intentions</u> Target youth work services at priority neighbourhoods</p> <p><u>Key Measures</u></p>

	<ul style="list-style-type: none"> • Number of engagements re drug and alcohol by youth/street workers <p>Rationale: This report seeks approval for a new set of Equality Outcomes to ensure we pay due regard to eliminating discrimination, advancing equality of opportunity, and fostering good relations between persons who share a protected characteristic and those who do not.</p> <p>Implementation of the recommendations will allow a greater opportunity to reach out to those who suffer the complexity of multiple inequalities related to their protected characteristics, such as Care Experienced young people, those living within priority locality areas and adults with health and wellbeing issues.</p>
<p>Prosperous Place Stretch Outcomes</p>	<p><u>LOIP Stretch Outcome 13</u> No one in Aberdeen will go without food due to poverty by 2026 (Place LOIP theme)</p> <p><u>Key Driver</u> 13.1 Increasing food resilience at individual and community level by establishing self-governing community co-operatives to offer further supportive ways of providing food.</p> <p><u>Commissioning Intentions</u> Engage with partners to address food poverty and implement the provision of a Food Growing Strategy</p> <p><u>Key Measures</u></p> <ul style="list-style-type: none"> • Number of community pantries established. • Number of community pantries established in priority localities. • Number of people using community pantries. • Number of people using food banks. • Number of community food growing initiatives in schools, communities, and workplaces. <p>Rationale: The report seeks approval for a new set of Equality Outcomes to ensure we pay due regard to eliminating discrimination, advancing equality of opportunity, and fostering good relations between persons who share a protected characteristic and those who do not.</p> <p>Implementation of the recommendations will allow a greater opportunity to reach out to those who suffer the complexity of multiple inequalities related to their protected characteristics as well as disadvantages related to their place of living.</p>
<p>Regional and City Strategies</p>	<p>The proposals within this report seeks to integrate equality in all our day-to-day work so that it becomes part of our structures, behaviours and culture that contributes</p>

	<p>to continuous improvement and better performance. We are therefore confident to say that the mainstreaming of equality and the implementation of the new set of equality outcomes will support the delivery of all regional and City Strategies by ensuring that in implementing them, we pay due regard to eliminating discrimination, advancing equality of opportunity, and fostering good relations between persons who share a protected characteristic and those who do not.</p>
<p>UK and Scottish Legislative and Policy Programmes</p>	<p>The report sets out our Equality Outcomes for 2021 - 2025 as well as a number of reports on mainstreaming equality and on employee's information. These are to fulfil the requirements placed upon the Council by the Equality Act 2010 and associated regulations.</p>

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	<p>An Integrated Impact Assessment has been carried out and is attached to this report.</p> <p>The Impact Assessment indicates that the progress on the Equality Outcomes will contribute positively to all three parts of the General Duty to:</p> <ol style="list-style-type: none">1. Eliminate discrimination,2. Advance equality of opportunity,3. Foster good relations
Data Protection Impact Assessment	A DPIA is underway to consider the capture and analysis of corporate equality data.

9. BACKGROUND PAPERS

[Guidance for Scottish public authorities on the Public Service Equality Duty](#) , EHRC

[Scotland's People Annual Report 2018](#) A National Statistics publication for Scotland, Scottish Household Survey Project Team, Communities Analysis Division. The Scottish Government. September 2019

[Is Scotland Fairer?](#) The State of Equality and Human Rights, Equality and Human Rights Commission Scotland 2018

[Scottish Council Areas 2001 to 2011 Census Profile Comparator Tool](#), Aberdeen City, Published 15th February 2017.

[Coronavirus \(COVID-19\): impact on equality \(research\)](#) – Scottish Government

Vision and Action Plan - Our Shared Vision for Grampian - Integrate Grampian 2019 – Copy available

2020 Equalities Survey, Aberdeen City, Grampian Regional Equality Council, – Appendix 5

Guidance from EHRC regarding developing Equality Outcomes and Mainstreaming report 21-25 including (available as Copies)

- Equality Outcomes - Tackling Significant Inequalities.
- Equality Outcomes – Examples - January 2021
- Setting Equality Outcomes - January 2021

10. APPENDICES

1. The Integrated Impact Assessment (IIA).

2. The Equality Outcomes and Mainstreaming Progress Report 2021- 2025.
3. Appendix 1 – Equality Outcome progress report 19-21.
4. Appendix 2 – Employee Information
5. Appendix 3 – Education Equality Outcomes and Mainstreaming Report.
6. Appendix 4 – Licensing Board Equality Outcomes
7. Appendix 5 – Survey Outcome Report/Engagement Events

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